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Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 109, as Amended, Termination]

PART 1490—MISCELLANEOUS FOOD PRODUCTS

SOLUBLE COFFEE AND SOLUBLE COFFEE PRODUCTS

War Food Order No. 109, as amended (9 F.R. 9134; 10 F.R. 103), is terminated as of 12:01 a.m., e.w.t., June 1, 1945, but all soluble coffee and all soluble coffee products set aside, at the effective time of such termination, pursuant to War Food Order No. 109, as amended, shall continue to be held as set-aside soluble coffee or soluble coffee products and may be sold or disposed of only to a government agency, as defined in War Food Order No. 109, as amended, unless otherwise released, from the set-aside restriction, by the Director of Marketing Services, War Food Administration.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 109, as amended, prior to the effective time of this termination order, all provisions of said War Food Order No. 109, as amended, in effect prior to the effective time of this termination order shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 31st day of May 1945.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 45-9454; Filed, May 31, 1945; 3:24 p. m.]

[WFO 75-2a]

PART 1410—LIVESTOCK AND MEATS

SCHEDULE OF GOVERNMENT BEEF PURCHASE AND SET ASIDE PERCENTAGES

Pursuant to the provisions of War Food Order No. 75-2, as amended (*supra*), and to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1410.27 *Establishment of base period; establishment of beef purchase and set aside percentages*—(a) *Definitions.* The terms used herein shall have the meaning set forth for such terms in War Food Order No. 75, as amended (10 F.R. 4649), and War Food Order No. 75-2, as amended.

(b) *Base period; current rate of slaughter.* The month of June 1944 is hereby established as the base period. Current rate of slaughter is determined by dividing the dressed weight of cattle slaughtered during a current week by the average weekly slaughter (dressed weight) of cattle during the base period (June 1944).

(c) *Government purchase and set aside percentages.* In accordance with the standards set forth in paragraph (e) of War Food Order 75-2, the following schedule of percentages is hereby established. The quantity of each grade of Army-style beef which the persons or agencies designated in War Food Order No. 75-2 may purchase is determined by applying the appropriate percentage to the total weekly production (dressed weight) of each of such grades of Army-style beef, and the quantities of Utility grade (Grade C) beef and of canner and cutter grade (Grade D) beef which are required to be set aside by any slaughterer is determined by applying the appropriate percentage to the total weekly production (dressed weight) of Utility grade beef and canner and cutter grade beef, respectively. All beef required to be set aside or made available for purchase by Zone 9 kosher slaughterers shall be in the form of hind quarters.

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FEDERAL REGISTER

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book.

Book 1: Titles 1–31, including Presidential documents in full text.

Book 2: Titles 32–50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938–June 1, 1943) is still available in ten units at $3.00 each.

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Current rate of slaughter (percent of June 1944 weekly average)	Percentage of beef production (dressed weight of slaughter)		
	Army style		Utility and canner and cutter grades
	Regular	Kosher	
Less than 90.1	44.8	34.3	71.1
90.1–95.0	45.8	35.5	71.6
95.1–100.0	46.7	36.5	72.1
100.1–105.0	47.5	37.5	72.5
105.1–110.0	48.2	38.4	72.9
110.1–115.0	48.9	39.2	73.2
115.1–120.0	49.5	39.9	73.5
120.1–125.0	50.1	40.5	73.8
125.1–130.0	50.6	41.2	74.1
130.1–135.0	51.1	41.7	74.4
135.1–140.0	51.5	42.3	74.6
140.1–145.0	51.9	42.8	74.8
145.1–150.0	52.3	43.2	75.0
150.1–175.0	53.3	44.4	75.5
175.1–200.0	54.6	46.0	76.2
Over 200.0	56.1	47.7	77.0
Slaughterers without June 1944 slaughter history	56.1	47.7	77.0

(d) This order shall become effective at 12:01 a. m., e. w. t., June 3, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 10 F.R. 4649; WFO 75–2)

Issued this 1st day of June, 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45–9514; Filed, June 1, 1945; 11:53 a. m.]

[WFO 75–2, Amdt. 24]

PART 1410—LIVESTOCK AND MEATS

BEEF REQUIRED TO BE SET ASIDE

War Food Order No. 75–2, as amended (10 F.R. 4650), is further amended to read as follows:

§ 1410.18 *Beef required to be set aside*—(a) *Definitions.* (1) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations), War Food Administration (including but not restricted to any corporate agency thereof), the War Shipping Administration, and the Veterans Administration.

(2) "Army-style beef" means (i) dressed steer carcasses of "U. S. Choice", "U. S. Good", or "U. S. Commercial" grade weighing between 350 and 1,100 pounds; (ii) dressed heifer carcasses of "U. S. Choice", "U. S. Good", or "U. S. Commercial" grade weighing between 300 and 1,100 pounds; and (iii) dressed cow carcasses of "U. S. Good" or "U. S. Commercial" grade weighing between 350 and 1,100 pounds.

(3) "Federally inspected slaughterer" means any slaughterer whose establishment is operated under Federal inspection.

(4) "Federal inspection" means inspection under the provisions of the act of March 4, 1907 (34 Stat. 1260), as amended, 21 U. S. C. 71, and as extended by Public Law 602, 77th Cong., approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

(5) "Authorized purchaser" means: (i) Any person who is under contract to sell or deliver set aside beef, or products prepared in whole or part therefrom, to a governmental agency; (ii) Any person who has delivered set aside beef, or products prepared in whole or part therefrom, to a governmental agency, and has not replaced the set aside beef so delivered, or contained in the products so delivered, by a purchase of set aside beef under this order; (iii) Any person who is authorized by the Director to purchase set aside beef.

(6) "Contract school", "marine hospital", or "maritime academy" means any person defined as such in War Food Order No. 73, as amended (9 F.R. 10036, 10927, 13741).

(7) "Ship supplier" means any person defined as such in War Food Order No. 74, as amended (10 F.R. 5759), who holds a license under that order.

(8) "Set aside beef" means beef of the type and grade required to be set aside, reserved, and held under this order.

(9) "Base period" means such period of the calendar year 1944 as the Director may establish.

(10) "Current rate of slaughter" means the total dressed weight of cattle slaughtered during a current week divided by the average weekly slaughter (dressed weight) during the base period. Current rate of slaughter shall be stated in terms of percentage.

(11) "Northern Area of Zone 9" includes the following:

(i) Maine, New Hampshire, Vermont, Massachusetts, Connnecticut, and Rhode Island;

(ii) All that portion of New York east of and including the counties of Saint Lawrence, Jefferson, Lewis and Herkimer, and east and southeast of and including the counties of Otsego, Delaware, Sullivan, Orange, Rockland, Westchester; New York, Bronx, Kings, and Richmond;

(iii) All that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry, and Franklin;

(iv) New Jersey and Delaware;

(v) All that portion of Maryland east and southeast of and including the counties of Washington, Frederick, Montgomery, Prince Georges, Charles, and Saint Marys; and

(vi) The District of Columbia.

(12) "Zone 9 Kosher slaughterer" means any slaughterer of Kosher beef located in the Northern Area of Zone 9, who has registered with the Office of Price Administration as required by paragraph (d) of § 1364.407 of Maximum Price Regulation 169, as amended.

(13) "Conversion weight" means the dressed weight equivalent of the meat derived from the slaughter of cattle, determined as prescribed in paragraph (g) hereof.

(14) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(15) "Director" means the Director of Marketing Services, War Food Administration.

(16) Any term not specifically defined herein shall have the meaning set forth for such term in War Food Order No. 75, as amended (10 F.R. 4649).

(b) *Purpose of this order.* This order is intended to provide for the procurement by governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, of an amount of beef of the indicated grades equal to the following percentages of the aggregate total of all beef of such grades produced by slaughterers subject to the provisions of this order:

Army-style		Utility (grade C)	Cutter and canner (grade D)
Zone 9 kosher slaughterers	Slaughterers other than zone 9 kosher slaughterers	Federally inspected slaughterers only	Federally inspected slaughterers only
40%	50%	75%	75%

(c) *Army-style beef; slaughterers affected.* The provisions of this paragraph (c) shall apply to the following slaughterers:

All federally inspected slaughterers;

Every slaughterer whose cattle are slaughtered in an establishment operated under Federal inspection;

Every slaughterer who, in any calendar week, slaughters more than 51 head of cattle producing Army-style beef;

Every slaughterer whose cattle are slaughtered in an establishment in which, during any calendar week, there are slaughtered more than 51 head of cattle producing Army-style beef.

(1) No slaughterer subject to the provisions of this paragraph (c) shall deliver meat unless he shall set aside and reserve the total amount of each week's production of beef graded "U. S Choice", "U. S. Good", and "U. S. Commercial", obtained from steers, heifers, and cows, whose carcasses produce Army-style beef: *Provided, however,* That governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers may select and purchase not to exceed such percentage of each grade of beef so set aside, based upon the current rate of slaughter, as the Director may determine in accordance with the provisions of paragraph (c) hereof, and upon the delivery or execution of contracts to deliver, to such persons or agencies, of not less than the applicable percentage of each grade of beef so set aside, such slaughterer may deliver to any other person an amount not in excess of the remaining balance of such week's production of such grade of beef.

(2) No slaughterer subject to the provisions of this paragraph (c) shall deliver meat unless he shall bone, in accordance with Army-specifications for frozen boneless beef, not less than 90 percent of each grade of Army-style beef selected and purchased by governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers: *Provided, however,* That the Order Administrator may wholly or partially exempt any slaughterer from this requirement upon a proper showing that said slaughterer (i) does not have adequate facilities for boning; (ii) does not have, or is unable to obtain, sufficient personnel to bone said beef, or (iii) is unable to comply with this requirement for any reason which appears to the Order Administrator to warrant such exemption.

(d) *Utility grade and cutter and canner beef; federally inspected slaughterers.* This paragraph shall apply only to federally inspected slaughterers. No federally inspected slaughterer shall deliver meat unless he shall set aside, reserve, and hold for delivery to governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, such percentages, as the Director may determine in accordance with the provisions of paragraph (e) hereof, of the conversion weight of each week's production of beef derived from steers, heifers, cows, stags, and bulls of U. S. Utility grade (Grade C beef) and cutter and canner grade (Grade D beef).

(e) *Determination of percentages.* The specific percentage of each grade of Army-style beef which governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers may purchase out of the total quantity of such grade of beef set aside by any slaughterer, and the specific percentage of Utility grade (Grade C) beef and of cutter and canner grade (Grade D) beef which any

slaughterer shall be required to set aside, shall be proportional to and graduated in accordance with the current rate of slaughter of such slaughterer, with the result that a greater proportion of Government requirements will be drawn from those slaughterers who are slaughtering more, with reference to the base period, than their normal volume of cattle. Determination of such percentages will be made by the Director at periodic intervals.

(f) *Federal inspection.* (1) No slaughterer who is or who becomes subject to paragraph (c) of this order by virtue of slaughtering, in any calendar week, more than 51 head of cattle producing Army-style beef shall deliver meat unless he shall apply and qualify under the Meat Inspection Act (21 U.S.C. 71 et seq.) and the regulations applicable thereto, for Federal meat inspection of all Army-style carcasses and beef required to be set aside by him under this order. No such slaughterer who fails to apply or qualify for Federal inspection as herein provided shall thereafter slaughter, in any calendar week, more than 51 head of cattle producing Army-style beef.

(2) No owner or operator of slaughtering facilities, other than a farmer, shall slaughter or permit such facilities to be used for the slaughter, in any calendar week, of more than 51 head of cattle producing Army-style beef, unless he has qualified or shall hereafter apply and qualify under the Meat Inspection Act (21 U.S.C. 71 et seq.) and the regulations applicable thereto for Federal meat inspection of all Army-style carcasses and beef required to be set aside under this order.

(g) *Conversion weight.* (1) The conversion weight of all deliveries of beef, and the conversion weight of carcasses and of cuts and trimmings derived therefrom, and of beef products produced therefrom shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

Type and description of product	*Conversion factor (multiplier)*
Dressed carcasses and cuts, not boned, fresh (chilled) or frozen	1.00
Boned beef and trimmings, fresh (chilled) or frozen	1.41
Cured other than dried—not boned	.95
Cured other than dried—boned	1.34
Dried (including smoked)	2.20
Boneless beef derived from cutter and canner grade steers, heifers, cows, stags and bulls (Grade D beef)	1.45
Canned beef and gravy	2.00

The term "boned" describes cuts from which 50 percent or more of the bone, by weight, has been removed by the process of boning, and the term "not boned" describes cuts from which none or less than 50 percent of the bone, by weight, has been removed, and primal cuts which contain no bone.

(2) The conversion weight of beef of any type used in the preparation of sausage or in the preparation of canned meat, or any other beef product not specified above, shall be computed by determining, on the basis of the manufacturing formula, the net weight of the beef used in such processing, and multiplying such net weight by the applicable conversion factor set forth above for such type of beef. The net weight of beef which is cooked and used in the preparation of canned meat not specified above shall be the weight thereof before cooking.

(3) The Director may, upon written application, revise any conversion weight factor where it is shown that such factor is working an undue hardship in the preparation of certain products.

(h) *Credits allowed on deliveries.* Subject to paragraph (i) hereof, any set-aside beef delivered to a governmental agency, authorized purchaser, contract school, marine hospital, maritime academy, or ship supplier may be credited against the requirements of paragraphs (c) and (d) hereof for beef of the type and grade so delivered.

(i) *Certificates.* No set-aside beef shall be delivered to any authorized purchaser, and no credit shall be allowed for any such delivery unless, within 10 days after delivery, the slaughterer obtains a certificate signed by the authorized purchaser, acknowledging receipt of the beef and containing the following: the name and address of both parties and the date of delivery; the contract number of the contract between the authorized purchaser and the governmental agency; and a statement by the authorized purchaser that the set-aside beef so delivered, or an equivalent amount of set-aside beef, will be or has been used in the fulfillment of such contract. The slaughterer shall endorse on such certificate the conversion weight of such beef, together with a description permitting conversion in accordance with paragraph (g) hereof. The slaughterer and the authorized purchaser shall each retain an original of such certificate for at least two years and shall submit the same to the Director upon request. All statements contained in or accompanying such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(j) *Storage; packaging.* All Army-style beef set aside and reserved under this order shall be stored in such manner as to maintain the quality thereof, and shall be prepared and packaged in accordance with Army specifications.

(k) *Authorized purchasers required to redeliver.* Each authorized purchaser who receives set-aside beef under the provisions of this order shall deliver all such beef, or an equivalent amount of set-aside beef, to a governmental agency, contract school, marine hospital, maritime academy, or ship supplier.

(l) *Allocation.* The Director may, by general order or written notice to individual slaughterers, order the allocation of beef set aside under this order to or among specific governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, or ship suppliers. In the absence of such allocation, slaughterers may, subject to paragraph (i) hereof, sell beef so set aside to any such person or agency.

(m) *Existing contracts.* The provisions of this order shall not be construed as reducing the amount of meat which any slaughterer is required to offer or to deliver under any existing contract with a governmental agency, as defined herein, or with the United States Maritime Commission.

(n) *Reports.* Every slaughterer subject to paragraph (c) hereof shall report to the Director concerning his production of and transaction in beef. Such reports shall be made at such times and upon such forms as the Director may require, and shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(o) *Audits and inspections.* The Director shall be entitled to make such audits and inspections of the books, records and other writings, premises, supplies of livestock or stocks of meat of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(p) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(q) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using livestock, meat, meat products, or animal fats. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(r) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 75–2, Livestock and Meats Branch, Office of Marketing Services, War Food Administration, 5 South Wabash Avenue, Chicago 3, Illinois.

(s) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(t) *Effective date.* This amendment shall become effective at 12:01 a. m., e. w. t., June 3, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75–2, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with re-

spect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F. R. 14783; WFO 75, 10 F.R. 4649)

Issued this 1st day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-9499; Filed, June 1, 1945; 11:16 a. m.]

[WFO 75-3, Amdt. 15]

PART 1410—LIVESTOCK AND MEATS

PORK REQUIRED TO BE SET ASIDE

War Food Order No. 75-3, as amended (10 F.R. 4652, 5712) is further amended to read as follows:

§ 1410.20 *Pork required to be set aside*—(a) *Definitions.* (1) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding, for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations), War Food Administration (including but not restricted to any corporate agency thereof), the War Shipping Administration, and the Veterans Administration.

(2) "Federally inspected slaughterer" means any slaughterer whose establishment is operated under Federal inspection.

(3) "Federal inspection" means inspection under the provisions of the act of March 4, 1907 (34 Stat. 1260), as amended, 21 U.S.C. 71, and as extended by Public Law 602, 77th Cong., approved June 10, 1942 (56 Stat. 351), and the rules and regulations promulgated thereunder.

(4) "Set aside pork" means pork or pork products (including lard) of the type and grade required to be set aside, reserved, and held under this order.

(5) "Authorized purchaser" means:

(i) Any person who is under contract to sell or deliver set aside pork, or products prepared in whole or part therefrom, to a governmental agency;

(ii) Any person who has delivered set aside pork, or products prepared in whole or part therefrom, to a governmental agency, and has not replaced the set aside pork so delivered, or contained in the products so delivered, by a purchase of set aside pork under this order;

(iii) Any person who is authorized by the Director to purchase set aside pork;

(iv) Any person who is under contract to sell or deliver set aside pork, or products prepared in whole or part therefrom, to an authorized purchaser as defined in paragraph (a) (5) (i) and (a) (5) (ii).

(6) "Contract school", "marine hospital", or "maritime academy" means any person defined as such in War Food Order No. 73, as amended (9 F.R. 10036, 10927, 13741).

(7) "Ship supplier" means any person defined as such in War Food Order No. 74, as amended (10 F.R. 5759), who holds a license under that order.

(8) "Base period" means such period of the calendar year 1944 as the Director may establish.

(9) "Current rate of slaughter" means the total live weight of hogs slaughtered during a current week divided by the average weekly slaughter (live weight) of hogs during the base period. Current rate of slaughter shall be stated in terms of percentage.

(10) "Dressed carcass" means a hog carcass dressed in accordance with normal trade custom, with the leaf fat and kidney out, the jowls on, the hams faced, and the head off.

(11) "Conversion weight" means the dressed weight equivalent of pork, determined as prescribed in paragraph (e) hereof.

(12) "Live weight", with reference to each week's slaughter of hogs, means the total live weight of all hogs purchased for slaughter each week, determined from scale tickets issued at the time of purchase, less the weight of hogs condemned during the same week converted to a live weight basis.

(13) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(14) "Director" means the Director of Marketing Services, War Food Administration.

(15) Any term not defined herein shall have the meaning set forth for such term in War Food Order No. 75, as amended, *supra*.

(b) *Purpose of this order.* This order is intended to provide for the procurement by governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, of dressed pork and pork products in an amount equal to the following percentages of the aggregate total of the live weight of hogs purchased for slaughter by slaughterers subject to the provisions of this order:

Percentage of Live Weight of Hogs Purchased for Slaughter

Type of dressed pork or pork product:	
Hams	6
Loins	5.5
Shoulders and manufacturing pork	10
Bellies	5.5
Lard	5.5

(c) *Slaughterers affected; set aside requirements.* The provisions of this order shall apply to the following slaughterers:

All federally inspected slaughterers;

Every slaughterer whose hogs are slaughtered in an establishment operated under Federal inspection.

No slaughterer subject to the provisions of this order shall deliver meat unless he shall set aside, reserve, and hold for delivery to governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, and ship suppliers, in the form of dressed pork and pork products, such percentages as the Director may determine, in accordance with the provisions of paragraph (d) hereof, of the total live weight of each week's slaughter of hogs.

(d) *Determination of percentages.* The specific percentage of each dressed pork cut or dressed pork product which any slaughterer shall be required to set aside under this order shall be proportional to and graduated in accordance with the current rate of slaughter of such slaughterer, except in the case of lard, with the result that a greater proportion of Government requirements will be drawn from those slaughterers who are slaughtering more, with reference to the base period, than their normal volume of hogs. Determination of such percentages will be made by the Director at periodic intervals. All dressed pork cuts and dressed pork products set aside under this order shall be prepared in accordance with specifications established by governmental agencies. Such specifications may be obtained by application addressed to the Order Administrator.

(e) *Conversion weight.* (1) The conversion weight of all deliveries of pork and the conversion weight of carcasses and of cuts and trimmings derived therefrom and of pork products procured therefrom, shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

TYPE AND DESCRIPTION OF PRODUCT

	Conversion factors (multiplier)	
	Not boned	Boned
Cuts:		
Fresh (chilled)	1.00	1.15
Pork sides	1.00	----------
Wiltshire sides (cured)	1.10	----------
Pork loins	1.00	----------
Pork loins (semi-boneless)	----------	1.33
Fatted, skinless hams and shoulders	----------	1.33
Boned, fatted, skinless hams, smoked	----------	1.45
Fatted, skinless picnics	----------	1.45
Overseas hams, 96 hours' smoke	1.25	----------
Army hams, 48 hours' smoke	1.15	----------
Standard domestic smoked hams	1.10	----------
Other cured	1.00	1.10
Other smoked	1.10	1.20
Other cooked	1.20	1.45
Trimmings: Fresh (chilled) or frozen	----------	1.00

CANNED MEATS

	Conversion factor (multiplier)
Chopped ham	1.28
Luncheon meat	1.35
Corned pork	2.22
Tushonka	1.80
Pork sausage	1.00
Issue bacon	1.18
Sliced bacon	1.25
Dehydrated pork (10% maximum moisture content)	4.75

The term "boned" describes cuts from which 50 percent or more of the bone, by weight, has been removed by the process of boning, and the term "not boned" describes cuts from which none

or less than 50 percent of the bone, by weight, has been removed, and primal cuts which contain no bone.

(2) The conversion weight of pork of any type used in the preparation of sausage, or in the preparation of canned meat, or any other meat product not specified above, shall be computed by determining, on the basis of the manufacturing formula, the net weight of the pork used in such processing, and multiplying such net weight by the applicable conversion factor set forth above for such type of pork. The net weight of pork which is cooked and used in the preparation of canned meat not specified above shall be the weight thereof before cooking.

(f) *Credits allowed on deliveries.* Subject to the provisions of paragraph (g) hereof, any set aside pork delivered to a governmental agency, authorized purchaser, contract school, marine hospital, maritime academy, or ship supplier may be credited against the set aside requirements of this order for pork or pork products of the type and grade so delivered.

(g) *Certificates.* No set aside pork shall be delivered to any authorized purchaser, and no credit shall be allowed for any such delivery unless, within 10 days after delivery, the slaughterer obtains a certificate signed by the authorized purchaser, acknowledging receipt of the pork and containing the following: the name and address of both parties and the date of delivery; the contract number of the contract between the authorized purchaser and the governmental agency; and a statement by the authorized purchaser that the set aside pork so delivered, or an equivalent amount of set aside pork, will be or has been used in the fulfillment of such contract. The slaughterer shall endorse on such certificate the conversion weight of such pork, together with a description permitting conversion in accordance with paragraph (e) hereof. The slaughterer and the authorized purchaser shall each retain an original of such certificate for at least two years, and shall submit the same to the Director upon request. All statements contained in or accompanying such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(h) *Specifications; storage; packaging.* All pork and pork products required to be set aside, reserved, and held under this order shall be stored in such a manner as to maintain the quality thereof and shall be prepared and packaged in accordance with specifications of the governmental agencies to whom delivered.

(i) *Authorized purchasers required to redeliver.* Each authorized purchaser who receives set aside pork under the provisions of this order shall deliver all such pork, or an equivalent amount of the same kind and type of set aside pork, to a governmental agency, contract school, marine hospital, maritime academy, or ship supplier.

(j) *Allocations.* The Director may, by general order or written notice to individual slaughterers, order the allocation of pork set aside under this order to or among specific governmental agencies, authorized purchasers, contract schools, marine hospitals, maritime academies, or ship suppliers. In making such allocations, the Director or the Order Administrator may specify the stage of processing (fresh, frozen, cured, smoked, or canned), and the weight ranges of all set aside pork so allocated. Such specifications shall be in addition to the specifications mentioned in paragraph (d) hereof. In the absence of such allocation, slaughterers may, subject to paragraph (g) hereof, sell pork so set aside to any such person or agency.

(k) *Existing contracts.* The provisions of this order shall not be construed as reducing the amount of meat which any slaughterer is required to offer or to deliver under any existing contract with a governmental agency, as defined herein, or with the United States Maritime Commission.

(l) *Records and reports.* (1) Every federally inspected slaughterer shall report to the Director concerning his production of and transactions in pork and pork products, including lard. Such reports shall be made at such times and upon such forms as the Director may require, and shall be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every federally inspected slaughterer shall keep such records with respect to inter or intra plant transactions as may be required by the Order Administrator.

(m) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises, supplies of livestock or stocks of meat of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(n) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by a request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(o) *Violations.* Any person who violates any provision of this order may in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using livestock, meat, meat products, or animal fats. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(p) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 75–3, Livestock and Meats Branch, Office of Marketing Services, War Food Administration, 5 South Wabash Avenue, Chicago 3, Illinois.

(q) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(r) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 3, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75–3, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 4649)

Issued this 1st day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45–9500; Filed, June 1, 1945; 11:16 a. m.]

[WFO 75–3a]

PART 1410—LIVESTOCK AND MEATS

SCHEDULE OF PORK SET ASIDE PERCENTAGES

Pursuant to the provisions of War Food Order No. 75–3, as amended (*supra*), and to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1410.26 *Establishment of base period; establishment of pork set aside percentages*—(a) *Definitions.* The terms used herein shall have the meaning set forth for such terms in War Food Order No. 75, as amended (10 F.R. 4649), and War Food Order No. 75–3, as amended.

(b) *Base period; current rate of slaughter.* The month of June 1944 is hereby established as the base period. Current rate of slaughter is determined by dividing the live weight of hogs slaughtered during a current week by the average weekly slaughter of hogs (live weight) during the base period (June 1944).

(c) *Set aside percentages.* In accordance with the standards set forth in paragraph (d) of War Food Order No. 75–3, the following schedule of percentages is hereby established. The quantity of dressed pork cuts and pork products of the type indicated which is required to

be set aside by any slaughterer is determined by applying the appropriate percentage to the total weekly slaughter of hogs (live weight).

Current rate of slaughter (percent of weekly average June 1944)	Percentages of live weight of slaughter				
	Loins	Hams	Square-cuts and seedless bellies	Shoulders and manufacturing pork	Total
Less than 50.1	5.2	5.6	5.2	9.4	25.4
50.1–52.0	5.2	5.7	5.3	9.5	25.7
52.1–54.0	5.3	5.7	5.3	9.6	25.9
54.1–56.0	5.3	5.8	5.4	9.7	26.2
56.1–58.0	5.4	5.8	5.4	9.8	26.4
58.1–60.0	5.4	5.9	5.4	9.9	26.6
60.1–62.0	5.5	6.0	5.4	9.9	26.8
62.1–64.0	5.5	6.0	5.5	10.0	27.0
64.1–66.0	5.5	6.0	5.6	10.1	27.2
66.1–68.0	5.6	6.0	5.6	10.1	27.3
68.1–70.0	5.6	6.1	5.6	10.2	27.5
70.1–72.0	5.6	6.2	5.6	10.2	27.6
72.1–74.0	5.7	6.2	5.7	10.2	27.8
74.1–76.0	5.7	6.2	5.7	10.3	27.9
76.1–78.0	5.7	6.2	5.7	10.4	28.0
78.1–80.0	5.7	6.3	5.7	10.5	28.2
80.1–90.0	5.8	6.3	5.8	10.6	28.5
90.1–100.0	5.9	6.4	5.9	10.7	28.9
Over 100.0	6.0	6.5	6.0	10.8	29.3
Slaughterers without June 1944 slaughter history	6.0	6.5	6.0	10.8	29.3

In addition to the above, each slaughterer subject to the provisions of this order shall set aside a quantity of lard, the total weight of which shall be not less than 5.5 percent of the total live weight of each week's slaughter of hogs: *Provided*, That until further order of the Director this requirement shall not be applicable to slaughterers located in the States of California, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, South Carolina, Utah, Vermont, Virginia, Washington, and West Virginia.

(d) This order shall become effective at 12:01 a. m., e. w. t., June 3, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 75, 10 F.R. 4649; WFO 75–3)

Issued this 1st day of June 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45–9515; Filed, June 1, 1945; 11:53 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4590]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

EVERSHARP, INC.

§ 3.6 (h) *Advertising falsely or misleadingly—Fictitious or misleading guarantees:* § 3.72 (k5) *Offering deceptive inducements to purchase or deal—Repair or replacement guarantee.* In connection with the offering for sale, sale, and distribution of respondent's fountain pens and mechanical pencils in commerce, (1) using the words "guaranteed forever", or any word or words of similar import, alone or in conjunction with any other word or words, to designate, describe, or refer to respondent's products, or otherwise representing, directly or by implication, that such products are unconditionally guaranteed forever or without limitation as to time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated at any time by any cause other than wilful damage or abuse; or (2) representing, directly or by implication, that respondent's products are unconditionally guaranteed for any designated period of time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated during such designated period by any cause other than wilful damage or abuse; prohibited, subject to the provision, however, that nothing contained in the order shall be construed as prohibiting respondent from representing truthfully that the service on its products (as distinguished from the products themselves) is guaranteed forever or for any other designated period of time, even though a charge is imposed by respondent in connection with such servicing, provided the terms of such guarantee, including the amount of such charge, are clearly and conspicuously disclosed in immediate conjunction with such representation. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Eversharp, Inc., Docket 4590, May 3, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3d day of May, A. D. 1945.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, brief in support of the complaint (no brief having been filed by respondent), and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Eversharp, Inc., a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of respondent's fountain pens and mechanical pencils in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "guaranteed forever," or any word or words of similar import, alone or in conjunction with any other word or words, to designate, describe, or refer to respondent's products, or otherwise representing, directly or by implication, that such products are unconditionally guaranteed forever or without limitation as to time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated at any time by any cause other than wilful damage or abuse.

2. Representing, directly or by implication, that respondent's products are unconditionally guaranteed for any designated period of time, unless respondent does in fact make, without expense to the user, any repairs or replacement of parts which may be necessitated during such designated period by any cause other than wilful damage or abuse.

Nothing contained in this order, however, shall be construed as prohibiting respondent from representing truthfully that the service on its products (as distinguished from the products themselves) is guaranteed forever or for any other designated period of time, even though a charge is imposed by respondent in connection with such servicing, provided the terms of such guarantee, including the amount of such charge, are clearly and conspicuously disclosed in immediate conjunction with such representation.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45–9490; Filed, June 1, 1945; 10:53 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51244]

PART 6—AIR COMMERCE REGULATIONS

REDESIGNATION OF AIRPORTS OF ENTRY

MAY 31, 1945.

The following-named airports are hereby redesignated as airports of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (49 U. S. C., sec. 179 (b)), for a period of one year from the dates shown opposite their names:

Name and location	*Date of redesignation*
John G. Hinde Airport, Sandusky, Ohio	June 1, 1945
Havre Municipal Airport, Havre, Montana	June 2, 1945
Watertown Municipal Airport, Watertown, N. Y.	June 2, 1945

The list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13), is hereby amended by changing the dates of the designations opposite the names of these airports as indicated herein.

(Sec. 7 (b), 44 Stat. 572; 49 U. S. C. 177 (b))

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45–9502; Filed, June 1, 1945; 11:20 a. m.]

[T. D. 51245]

PART 51—IMPORTS AND EXPORTS SUBJECT TO THE PROVISIONS OF EXECUTIVE ORDER 8389, AS AMENDED, AND PROCLAMATION 2497, REGARDING "BLOCKED NATIONALS"

LICENSING REQUIREMENTS AND PROCEDURE

JUNE 1, 1945.

T. D. 50433 and T. D. 50530, as amended, prescribing procedure governing imports and exports subject to the provisions of Executive Order 8389, as amended, and Proclamation 2497 regarding "Blocked Nationals," further amended.

Treasury Decision 50433 (6 F.R. 3672), as amended by Treasury Decision 50530 (6 F.R. 6585), Treasury Decision 50548 (7 F.R. 304), and Treasury Decision 50600 (7 F.R. 2777), is hereby further amended as follows:

1. Section 51.1 is amended to read:

§ 51.1 *Submission of statement with export declaration.* With respect to each entry, withdrawal, or exportation of merchandise, there shall be submitted a list or statement showing the name and address of the ultimate and every intermediate consignee, consignor, and other person having an interest in the merchandise or in the transaction, unless such information is set forth in the appropriate customs or other documents. If it appears that any such consignee, consignor, or other person is named in "The Proclaimed List of Certain Blocked Nationals," the entry, withdrawal, or exportation of the merchandise involved shall be permitted only upon presentation of the original copy of a Treasury license authorizing the same. Such original copy shall bear a notation in ink by the person presenting it showing the description, quantity, and value of the merchandise. If the license in fact authorizes the entry, withdrawal, or exportation, the collector of customs at the port where the transaction is to be effected, or any authorized subordinate, shall verify the notation by signing or initialling it after first assuring himself that it accurately describes the merchandise that it purports to represent. The original copy shall thereafter be returned to the person presenting it.

2. Section 51.2 is amended to read:

§ 51.2 *Presentation of license before acceptance of entries for consumption etc.* Except as provided for in the preceding paragraph, as required by Treasury Decision 51072 (9 FR 6239), or as otherwise directed, Treasury licenses shall not be required with respect to the entry, withdrawal, or exportation of merchandise notwithstanding General Ruling No. 11, as amended, or that the consignee, consignor, or other person having an interest in the merchandise, or in the transaction, is a foreign country designated in Executive Order No. 8389, as amended, or a national thereof.

3. Section 51.3 is amended to read:

§ 51.3 *Necessity for license under the Export Control Act.* This part does not in any way affect the necessity for a license under the Export Control Act of July 2, 1940. Neither an export control license nor a Treasury license will be accepted in lieu of the other type of license.

4. Section 51.4 is hereby deleted.

Treasury Decision 50530 (6 F.R. 6585), as amended by Treasury Decision 50993 (9 F.R. 1003) is hereby further amended by deleting §§ 51.12 and 51.13; redesignated §§ 51.11, 51.12 by Treasury Decision 50993, January 31, 1944.

(40 Stat. 415, as amended, 54 Stat. 714, as amended; 12 U.S.C. and Sup. 95a, 50 U.S.C. App. Sup., 701; E.O. 8389, as amended, April 10, 1940; and Proc. 2497, July 17, 1941)

The provisions hereof shall be effective on and after June 4, 1945.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-9501; Filed, June 1, 1945; 11:19 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Geological Survey, Department of the Interior

PART 221—OIL AND GAS OPERATING REGULATIONS

GOVERNMENT ROYALTY OIL

In the interest of encouraging and fostering small business enterprise in the oil industry, it is essential that adequate supplies of crude oil be made available to refiners who do not have access to sufficient supplies of to assure continued operation of refineries engaged in providing petroleum products for military or necessary civilian uses. To that end, it will be the policy of the Department of the Interior, upon a satisfactory showing in accordance with the procedure hereinafter prescribed and after reasonable notice to its lessees, to take its royalty oil in kind pursuant to section 36 of the Oil and Gas Leasing Act of February 25, 1920 (41 Stat. 451, 30 U.S.C. sec. 192).

1. Refiners unable to purchase in the open market an adequate supply of crude oil may file an application with the Secretary of the Interior. Such application, which shall be filed in triplicate, must be accompanied by a detailed statement containing the following information:

(a) The capacity of the refinery and the amount, source, and grade of all crude oil currently available to the applicant refiner.

(b) Factual data concerning existing refinery commitments, among other things indicating precisely to what extent the products are either sold under war contracts or tend to facilitate the successful prosecution of the war.

(c) The minimum amount and grade of additional crude oil needed to meet refinery commitments, the field or fields which the refiner believes offer a potential source of crude-oil supply because of proximity to the refinery, and the available transportation facilities which the refiner proposes to utilize.

(d) A tabulation for the preceding 12 months of the amount (in barrels daily) and grade of crude oil refined each month, the kind and grade and amount of finished products; also an estimate of the total refinery through-put for the next succeeding year.

2. Upon receipt of such an application, a copy shall be submitted to the Petroleum Administration for War, which shall make its recommendations for the disposition of the application to the Secretary through the Geological Survey.

3. If, after considering the recommendations of the appropriate agencies of the Department and of the Petroleum Administration for War, the Department elects to take its royalty crude oil in kind, the oil will be advertised for sale at not less than the market price or at the maximum price established or authorized by the Office of Price Administration if it is greater. Where two or more identical bids are received for the same crude oil, the Secretary will give due consideration to the factors outlined in paragraph 1 and award the oil to such bidder as he determines would best serve the public interest. The Secretary reserves the right to reject any or all bids.

HAROLD L. ICKES,
Secretary of the Interior.

MAY 25, 1945.

[F. R. Doc. 45-9471; Filed, May 31, 1945; 4:29 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 292]

ARMY OCCUPATIONAL AND EDUCATIONAL RECORD AND VETERANS' ASSISTANCE PROGRAM

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 130, entitled "Army Occupational and Educational Record."[1]

Discontinuance of DSS Form 141, entitled "Veterans' Assistance Program—Sample Survey."[1]

Discontinuance of DSS Form 142, entitled "Veterans' Assistance Program—Survey Questionnaire."[1]

The foregoing discontinuance shall become a part of the Selective Service regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MAY 31, 1945.

[F. R. Doc. 45-9455; Filed, May 31, 1945; 3:54 p. m.]

[1] Filed with the Division of the Federal Register.

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 18]

PART 802—GENERAL LICENSES

PHILIPPINE ISLANDS; ADDITION TO LIST

Correction

In the document appearing at page 6171 of the issue for Tuesday, May 29, 1945, the Federal Register serial number should read: "45-9097".

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-787, Revocation]

LIBERTY INCANDESCENT SUPPLY CO.

Suspension Order No. S-787, effective May 25, 1945, was issued May 18, 1945, against Liberty Incandescent Supply Company, 805 Liberty Avenue, Pittsburgh, Pennsylvania, for violation of Limitation Order L-78. In view of the fact that Limitation Order L-78 was revoked on May 9, 1945, the Chief Compliance Commissioner has directed that Suspension Order No. S-787 be revoked forthwith.

In view of the foregoing, it is hereby ordered, that: § 1010.787, *Suspension Order No. S-787* be revoked, effective June 1, 1945.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9512; Filed, June 1, 1945; 11:31 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240, as Amended May 31, 1945]

NEWSPAPERS

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of print paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Scope

(a) The purpose of this order.

Definitions and Explanations

(b) Newspaper.
(c) Camp papers and free distribution publications.
(d) Publisher.
(e) Print paper.
(f) Use.
(g) Net paid circulation.
(h) Inventory.
(i) Transfer of quotas.

Consumption Quota

(j) Allowable consumption.
(k) Computation of consumption quota.
(l) Carry-over.
(m) Consumption quotas for certain types of newspapers.
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Delivery Quota

(o) Computation of delivery quota.
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Miscellaneous Provisions

(t) Loans of print paper.
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(x) Violations.

Scope

§ 3133.6 *Limitation Order L-240*—(a) *The purpose of this order.* This order does two things: First, it limits the tonnage of print paper which may be used by a publisher in printing a newspaper. This is called his "consumption quota". Second, it limits the tonnage of print paper which may be ordered or accepted by a newspaper publisher. This is called his "delivery quota". A publisher's consumption quota is on a quarterly basis and his delivery quota is on a monthly basis.

Definitions and Explanations

(b) *Newspaper.* "Newspaper" means any publication generally recognized as a newspaper in the newspaper industry, regardless of the frequency of issuance. The term includes all supplements, inserts and other printed matter physically incorporated into a newspaper or delivered together with it.

Where two or more newspapers are published by the same publisher, whether in the same city or in different cities, each newspaper shall operate under a separate consumption quota and a separate delivery quota. In computing his consumption quota a publisher must make separate calculations for morning, evening and Sunday editions, but these figures must be consolidated into a single consumption quota for each newspaper, in accordance with the instructions contained in paragraph (k).

However, morning, evening, Sunday and other editions of the same newspaper shall operate under a single consumption quota and a single delivery quota.

In determining whether a publisher issues separate newspapers or separate editions of the same newspaper, the number and form of the reports filed by the publisher with the Audit Bureau of Circulations in 1941 will be controlling, in the absence of special circumstances. Thus, if a publisher in 1941 filed consolidated statements with the Audit Bureau of Circulations covering morning, evening and Sunday issues, even if these issues had different names, different formats and different staffs, they will ordinarily be considered as a single newspaper for the purposes of this order. If a publisher in 1941 filed separate statements with the Audit Bureau of Circulations covering his morning, evening, Sunday and other publications, they will ordinarily be considered as separate newspapers for the purposes of this order.

The term "newspaper", as used in this order, does not include "servicemen's", "overseas", "pony", or other condensed editions of newspapers which (1) are printed by the Army or Navy outside the continental United States on print paper procured by the Army or Navy, and (2) are distributed exclusively to United States Armed Forces personnel outside the continental United States. A publisher need not deduct from his consumption quota the print paper used in such editions, even though he supplies to the Army or Navy the print paper, the editorial material, and the mats or plates.

If a publisher is uncertain as to whether or not his publication is a newspaper as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion. Such a determination, issued to the publisher in the name of the Recording Secretary of the War Production Board, shall be conclusive for the purposes of this order, unless revoked or modified by the same authority.

(c) *Camp papers and free distribution publications.* Army or Navy camp, post, station or unit "newspapers" or news sheets generally are not recognized as newspapers in the newspaper industry. They are covered by Order L-241 (commercial printing). Shopping guides, want ad periodicals and publications in newspaper format distributed free or at nominal cost also are not recognized as newspapers within the meaning of this order and are governed by Order L-241, Schedule II. If a publisher issued a free distribution newspaper in 1941, his consumption quota shall be determined in accordance with Schedule II to Order L-241 and that order shall govern even if the circulation of the publication has subsequently been changed in whole or in part to a net paid basis.

(d) *Publisher.* "Publisher" means a person who publishes a newspaper, including an individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(e) *Print paper.* "Print paper" means any grade, quality, type or basis weight of paper used in publishing a newspaper. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber. It also includes roll wrappers, newsprint used as wrappers, identification sheets and labels for newspapers, and production waste, whether or not this waste is subsequently salvaged for other uses.

(f) *Use.* All production waste shall be included in the tonnage of print paper "used" in printing a newspaper. Transit damage shall not be included in a publisher's "use" of print paper. A publisher may determine the dates on which paper is "used" under this order either on the basis of the dates when the paper is actually printed or the dates appearing on the respective issues of the newspaper, provided he continues to use the same

method which he used in computing his 1941 base tonnages.

(g) *Net paid circulation.* "Net paid circulation" means the number of copies of a newspaper which have been sold (exclusive of bulk sales), as audited by the Audit Bureau of Circulations or (in the case of newspapers which are not members of the Audit Bureau of Circulations) as verified in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

(h) *Inventory.* "Inventory" means all the print paper which is owned by a publisher or is available for his use. It includes the print paper which he has on hand, in storage, and in transit and paper held for his use by a paper merchant, warehouseman or other person, regardless of its physical location. However, it does not include print paper shipped by water and held in warehouse by a paper manufacturer or merchant as part of the inventory of the manufacturer or merchant; such paper does not become part of a publisher's inventory until it is delivered to him.

(i) *Transfer of quotas*—(1) *Quotas established by different orders.* Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not use for the printing of a newspaper any part of a consumption quota established under Orders L–241 (commercial printing), L–244 (magazines) or L–245 (books) and he may not permit any part of his consumption quota established under this order to be used for commercial printing, magazines or books. If a newspaper publisher also conducts a job printing business, he must keep these two operations separate for quota purposes. The amount of print paper which he is permitted to consume and the amount which he is permitted to order or accept for the publication of his newspaper is limited by this order. The amount of print paper which he is permitted to consume and the amount which he is permitted to accept for his commercial printing business is limited by Order L–241.

(2) *Transfer of quotas to different persons.* The rules governing the assignability of quotas are set forth in Priorities Regulation 7a.

Consumption Quota

(j) *Allowable consumption.* In the first quarter of 1944, and in each calendar quarter after that, no publisher may use or cause to be used, in the publication of a newspaper, print paper in excess of:

(1) His quarterly consumption quota, which shall be computed in accordance with the instructions set forth in paragraph (k) or (m) plus

(2) Any less-than-quota savings carried over from previous calendar quarters, as provided in paragraph (l), plus

(3) Ex-quota tonnage, if any, which may have been granted on appeal for consumption in that quarter.

(k) *Computation of consumption quota*—(1) *Base tonnages.* Ascertain, separately, the tonnage of print paper comprising the net paid circulation of morning, evening, Sunday or other issues of the newspaper in the corresponding quarter of 1941. Add 3 per cent to each figure. (This 3 per cent is an arbitrary allowance to compensate for production waste and should be added whether the actual production waste in 1941 was greater or less than 3 per cent). These are the "base tonnages" for morning, evening, Sunday or other issues of the newspaper, which shall be adjusted in accordance with instructions 2, 3, and 4.

(2) *Circulation increase.* Ascertain, separately, the percentage increase or decrease in average net paid circulation of morning, evening, Sunday or other issues of the newspaper in the calendar year 1942 as compared with the calendar year 1941. (The average net paid circulation for each year shall be determined by adding together the average net paid circulation for each of the four quarters of the year and dividing by four).

(3) *Tonnage equivalent of circulation increase.* Apply, separately, the respective percentages of circulation increase or decrease determined under instruction number 2 to the respective base tonnages determined under instruction number 1 for morning, evening, Sunday or other issues of the newspaper.

(4) *Adjustment of base tonnages.* Adjust the respective base tonnages determined under instruction number 1 by adding or subtracting the number of tons represented by the percentage circulation gain or loss determined under instruction number 3.

(5) *Total adjusted base tonnage.* Total the respective base tonnages for morning, evening, Sunday or other issues of the newspaper determined under instruction number 1. Total the respective adjusted base tonnages for morning, evening, Sunday, or other issues of the newspaper determined under instruction number 4. The larger of these two totals is the publisher's "total adjusted base tonnage" from which the required reductions shall be applied.

(6) *Sliding scale of reductions.* Reduce the total adjusted base tonnage by the following sliding scale of percentage cuts:

(i) Deduct 4% of the amount over 25 tons but not over 125 tons.

(ii) Deduct 8% of the amount over 125 tons but not over 250 tons.

(iii) Deduct 12% of the amount over 250 tons but not over 500 tons.

(iv) Deduct 20% of the amount over 500 tons but not over 1000 tons.

(v) Deduct 24% of the amount over 1000 tons.

(7) *Consumption quota.* The balance remaining after subtraction of the above reductions from the total adjusted base tonnage determined under instruction number 5 is the publisher's consumption quota for the quarter.

(8) *Adjustment for print paper lighter than 32-pound basis weight.* Beginning July 1, 1944, if a publisher orders print paper lighter than 32-pound basis weight, his consumption quota for the current calendar quarter shall be reduced proportionately as follows: First, determine the percentage by which 32-pound paper exceeds such lighter paper in weight. Second, multiply the tonnage of lighter paper so ordered by this percentage. Third, subtract the result from the publisher's consumption quota. For example, if a publisher has a consumption quota of 200 tons and orders 100 tons of 30-pound basis weight paper, his consumption quota shall be reduced by 6⅔ tons, since 32-pound paper is 6⅔% heavier than 30-pound paper.

(9) *Fourteenth Sunday in third quarter of 1945.* Inasmuch as there are 14 Sundays and 78 weekdays in the third quarter of 1945, compared with 13 Sundays and 79 weekdays in the third quarter of 1941 and 1944, the publisher of a daily and Sunday newspaper may increase his consumption quota in the third quarter of 1945 by the excess of his average Sunday use of print paper in the third quarter of 1944 over his average weekday use of print paper in the third quarter of 1944. The publisher of a newspaper issued only on Sundays may increase his consumption quota in the third quarter of 1945 by one-thirteenth of his allowable use of print paper in the third quarter of 1944. No publisher may increase his delivery quota because of any additional tonnage he may use for the fourteenth Sunday in the third quarter of 1945.

(l) *Carry-over.* If a publisher uses less print paper than he is permitted to use in the fourth quarter of 1943, or in any calendar quarter after that, he may add this tonnage to his consumption quota but not to his delivery quota, in any succeeding quarter. This paragraph does not apply to the print paper which a publisher is permitted to use under paragraph (m) (2).

(m) *Consumption quotas for certain types of newspapers.* Excepted from the provisions of paragraph (k) are certain types of newspapers described in this paragraph (m), whose consumption quotas shall be computed as follows:

(1) *Special types of newspapers.* Any newspaper containing the equivalent of 8 standard-size pages or less which is authorized to be admitted to the mails as second-class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39, U. S. C., sec. 229) pertaining to the publications of benevolent, fraternal, trades-union, professional, literary, historical, and scientific organizations and societies shall have a consumption quota of print paper in any calendar quarter equal to either:

(i) Its quarterly consumption of print paper in any one of the first three calendar quarters of 1944; or

(ii) Its consumption of print paper in the corresponding calendar quarter of 1943. If the publisher selects this latter method in any calendar quarter, he may increase his consumption quota in that quarter by that percentage by which the average number of copies per issue in the third quarter of 1944 exceeds the average number of copies per issue in the corresponding calendar quarter of 1943. For example, if a newspaper's consumption of print paper in the first quarter of 1943 was 5 tons with an average press-run in that quarter of 5,000 copies per issue, and its average press-run in the third quarter of 1944 was 6,250 copies per issue, his consumption quota for the first calendar quarter of 1945 is 6¼ tons.

(2) *Small newspapers.* Any person may use or cause to be used in the publication of a newspaper during any calendar quarter a tonnage of print paper equal to 1¼ tons multiplied by the number of days per week on which the newspaper is published. For example, any person may use 1¼ tons of print paper per calendar quarter for the publication of a weekly newspaper, 2½ tons per calendar quarter for the publication of a semi-weekly newspaper, etc. It makes no difference whether he used that much paper, or any paper, in the publication of a newspaper during any previous period.

(3) *Other newspapers using less than 25 tons per quarter.* If, prior to October 1, 1944, a publisher used less than 25 tons of print paper per calendar quarter for civilian readers (whether or not he used additional paper for military readers), his total quarterly consumption quota for all types of readers shall be computed as follows:

(i) Ascertain the total number of copies of all issues printed in each of the seven calendar quarters between January 1, 1943 and September 30, 1944.

(ii) Ascertain the average number of pages per issue printed in each of the seven calendar quarters between January 1, 1943 and September 30, 1944.

(iii) Multiply the highest quarterly figure determined under subdivision (i) by the highest quarterly figure determined under subdivision (ii). The weight of paper required to produce this number of pages is the publisher's quarterly consumption quota; *Provided, however,* That if this figure is in excess of 25 tons, the publisher shall be limited to 25 tons per quarter plus the tonnage in excess of 25 tons which he used for military circulation in the third quarter of 1944.

(n) *Allotment to Army and Navy.* (1) The War Production Board may from time to time allot to the Army and the Navy a specified tonnage of paper to be consumed in printing "servicemen's", "overseas", "pony", or other condensed editions of newspapers which will be furnished to United States Armed Forces personnel overseas.

(2) From this allotment the Army and the Navy, under a delegation of authority from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in such editions acquired by the Army and the Navy for distribution outside the continental limits of the United States. This allotment does not cover purchases of newspapers by military exchanges or service departments as defined in Priorities Regulation 17 for distribution within the continental limits of the United States. All newspapers sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

Delivery Quota

(o) *Computation of delivery quota.* In June 1945, and in each calendar month after that, no publisher may order or accept delivery of print paper in excess of his monthly delivery quota, which shall be computed in accordance with the following instructions:

(1) *Monthly base.* Total the publisher's consumption quotas for the first and second quarters of 1945 and add the exquota tonnage, if any, which may have been granted on appeal for the first quarter of 1945. Divide by 6. Add ⅓ of the exquota tonnage, if any, which may have been granted on appeal for the second quarter of 1945. (Do not add any carry-over from preceding quarters.)

(2) *Inventory ceiling.* The above amount shall be reduced accordingly if a publisher's inventory is, or by virtue of such order or acceptance will become, on June 30, 1945, greater than: (i) 30 days' supply for publishers in the states named in List A, (ii) 50 days' supply for publishers in the states named in List B, or (iii) 60 tons for publishers who would be limited to a smaller amount by subdivision (i) or (ii) above.

List A

Connecticut.
District of Columbia.
Delaware.
Illinois.
Indiana.
Iowa.
Kansas.
Kentucky.
Maine.
Maryland.
Massachusetts.
Michigan.
Minnesota.
Missouri.
Nebraska.
New Hampshire.
New Jersey.
New York.
North Dakota.
Ohio.
Pennsylvania.
Rhode Island.
South Dakota.
Vermont.
Virginia.
West Virginia.
Wisconsin.

List B

Alabama.
Arizona.
Arkansas.
California.
Colorado.
Florida.
Georgia.
Idaho.
Louisiana.
Montana.
Mississippi.
Nevada.
New Mexico.
North Carolina.
Oklahoma.
Oregon.
South Carolina.
Tennessee.
Texas.
Utah.
Washington.
Wyoming.

(3) *Exclusions.* In computing the maximum tonnage which a publisher may have in his inventory, he shall exclude any less-than-quota savings under his consumption quota carried over from previous quarters. He shall also exclude print paper which he has received by Great Lakes or coastal water-borne shipments; provided on May 1 of any calendar year he shall have on hand or available for use not more than (i) a 30 days' supply if he is located in one of the states named on List A above, or (ii) more than a 50 days' supply if he is located in one of the states named in List B above and provided further that no publisher may order or accept delivery of a total amount of print paper by water, rail or otherwise in any calendar year (including both the open and closed navigation seasons) in excess of his delivery quota for that calendar year.

(4) *Computation of rate of consumption.* The number of days' supply shall be computed at the average daily rate of allowable consumption for the first six months of 1944.

(5) *Fractional carloads.* If a publisher's delivery quota for any month is less than one carload, he may nevertheless order and accept, in that month, up to one full carload. If a publisher's delivery quota for any month is a whole number of carloads plus a fraction of another carload, the fraction may be added to his delivery quota for any succeeding month.

(6) *Transit damage.* If print paper in inventory is destroyed or damaged to such an extent that it becomes unusable in publishing his newspaper, whether this occurs while the paper is in transit or after it has reached its destination, the publisher may increase his delivery quota (but not his consumption quota) in the same or any subsequent month by an amount sufficient to replace such paper. It is immaterial whether or not the publisher is reimbursed for the destroyed or damaged paper by the shipper, the carrier, or an insurance company. It is also immaterial whether or not the publisher salvages all or part of the damaged paper for use other than in publishing his newspaper.

(7) *Report on transit damage.* Any publisher who increases his delivery quota to replace destroyed or damaged print paper in accordance with subparagraph 6 above shall, within 15 days after placing the order for such replacement, file a letter with the War Production Board stating the number of tons comprising the publisher's delivery quota for that month, the number of tons destroyed or damaged, the manner in which such print paper was rendered unfit for use in publishing his newspaper, and the number of tons ordered in excess of his delivery quota. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(p) *Exceptions.* Permission to order or accept delivery of print paper in excess of the tonnage allowed under paragraph (o) may be granted by the War Production Board upon a written request for specific authorization stating the number of tons and the number of days' supply of print paper which the publisher has in inventory, the number of tons comprising his delivery quota, the number of additional tons he desires to order and accept, and the reasons why the denial of the request would create undue hardship.

(q) *Certification.* No mill or other supplier may sell or deliver to any person, and no person may accept, any print paper for use under Order L-240 except on a delivery order bearing or accompanied by a certification substantially in the form set forth below. This certification must be signed manually or as provided in Priorities Regulation No. 7 by the purchaser or by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (a) of the U. S. Criminal Code, to the seller and to the War Production Board: (a) that he is permitted to place this delivery order and to accept the print paper ordered; (b) that the print paper will be used or delivered, or that it is required to replace in inventory print paper

previously used or delivered, under War Production Board Order L–240.

The above certification must be placed on, or must accompany, each delivery order placed by any person for print paper to be used under Order L–240, and the certification provided for in Priorities Regulation No. 7 may not be used in its place.

(r) *Copies of orders.* On and after March 1, 1944, the publisher of every newspaper which consumes 25 tons of print paper or more in any calendar quarter shall file with the War Production Board copies of all orders for the delivery of print paper placed by him or for his account. Such copies must be mailed within three days after the orders are placed. On or before March 15, 1944, every such publisher shall mail to the War Production Board copies of all orders for the delivery of print paper placed by him or for his account since January 1, 1944. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(s) *Intra-company transfers.* The foregoing restrictions apply not only to deliveries from one person to another, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

Miscellaneous Provisions

(t) *Loans of print paper.* Any loan of print paper made by a publisher shall be reported to the War Production Board by letter within 15 days after the date of the loan. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(u) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(v) *Appeals.* Any appeal from the provisions of this order shall be made in accordance with Supplement 1 to the order. Regardless of the provisions of Priorities Regulation 16 no statement with respect to manpower information on Form WPB–3820 (or letter explaining why that form is not filed) need accompany any appeal.

(w) *Communications to the War Production Board.* All reports required to be filed hereunder, requests for specific authorization, appeals and other communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L–240.

(x) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 31st day of May 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Revoked Dec. 24, 1943.

INTERPRETATION 2: Revoked Dec. 24, 1943.

INTERPRETATION 3: Revoked Dec. 24, 1943.

INTERPRETATION 4

TRANSIT DAMAGE

Paragraph (f) of Order L–240 states in part: "Transit damage shall not be included in a publisher's 'use' of print paper." This provision which was inserted in the order on December 24, 1943, merely explained, and did not change, the existing rule.

At all times since the issuance of Order L–240 on December 31, 1942, a publisher has been obliged to charge against his consumption quota only the print paper which was actually "used" in publishing his newspaper; print paper which was destroyed or damaged in transit need not be charged against the publisher's consumption quota to the extent that such print paper was rendered unusable in the publication of his newspaper. However, at all times since the issuance of Order L–240 on December 31, 1942, production waste has been included in the tonnage of print paper which is "used" in publishing a newspaper. (Issued Oct. 30, 1944.)

[F. R. Doc. 45–9456; Filed, May 31, 1945; 4:28 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 71]

OPERATIONS OF STEEL PRODUCERS AFTER JULY 1, 1945

The following direction is issued pursuant to Controlled Materials Plan Reg. 1:

(a) *General.* The amendment to CMP Regulation 1, dated May 10, 1945, defines unrated orders and authorizes their acceptance by producers for delivery of steel July 1 and later. Priorities Regulation No. 27, also dated May 10, 1945, tells how a small manufacturer may purchase steel by the use of the Z–3 allotment symbol. Orders placed with the Z–3 allotment symbol are authorized controlled material orders and are handled in accordance with Direction 54 to CMP Regulation 1. These changes in War Production Board regulations necessitate certain changes in the rules applicable to operations of producers, which are outlined below.

(b) *Steel for further conversion.* (1) Effective July 1, 1945, a producer may use the symbol FC–1 only to replace steel of the same product group listed in Schedule 1 that was used as conversion material to fill authorized controlled material orders, excluding orders bearing the Z–3 allotment symbol. A producer may use the allotment symbol FCZ to obtain conversion material of the same product group listed in Schedule 1 needed to fill orders bearing the Z–3 allotment symbol. Orders placed with the allotment symbol FCZ are deferrable authorized controlled material orders and must be handled in accordance with Direction 54 to CMP Regulation No. 1. A producer must use the allotment symbol FCN to order steel on an unrated basis as conversion material to fill unrated orders.

(2) *Cancellation of FC allotments.* The War Production Board will no longer issue FC allotments to steel producers not operating under production directives for steel for further conversion as the result of applications received on Form CMP–4B under CMP Regulation 8 and all such allotments for the third calendar quarter of 1945 and thereafter are hereby cancelled.

(3) *Producers not under production directives.* A producer not operating under production directives may use the FC–1 allotment symbol to replace conversion material used in filling authorized controlled material orders as follows:

For delivery during the month of July, 1945, a producer may use the FC–1 allotment symbol to place orders for carbon and alloy steel interchangeably for further conversion equal to the tonnage procured from other producers by extension of the FC symbol and used by him in filling authorized controlled material orders shipped by him in April. Similarly, August purchase authorizations may be equal to the tonnage used in filling authorized controlled material orders shipped in May. The same sequence shall be followed for future months; that is, conversion material used for filling authorized controlled material orders for the third Prior month constitute purchase authority to place "FC–1" orders in any one month. In determining the tonnage to be replaced by the use of the FC–1 allotment, orders bearing allotment symbol Z–3 shall not be considered as authorized controlled material orders. Conversion steel needed to fill orders bearing the allotment symbol Z–3 may be obtained through the use of the allotment symbol FCZ.

(4) *Producers under production directives.* The production directives under which certain producers operate will be adjusted to reflect only the order load of authorized controlled material orders. To the extent required to meet their order book pattern of authorized controlled material orders (excluding orders bearing the Z–3 allotment symbol) producers will be given specific allocations of steel for further conversion on Series B allocations, Form GA–193, which authorizes the use of symbol FC–1. Since Z–3 allotments are deferrable, FC–1 allocations will not include tonnage to fill such orders. Producers will receive instructions how to show in report form WPB–2848 the extent to which Z–3 orders are included in their order acceptance records. (FC–1 allocations will accordingly be adjusted by that amount.) A producer may use the allotment symbol FCZ to obtain conversion material needed to fill an order bearing a Z–3 allotment symbol.

When the supply-demand situation indicates production directives on a specific product may be eliminated, FC–1 Allocations for that product will be cancelled and the producer now obtaining conversion steel through allocation will thereafter operate in the same manner as other producers under paragraph (b) (3).

(5) An order with the FC–1 symbol is an authorized controlled material order and must be accepted as required by CMP Regulation 1. A producer receiving any "Further conversion" order must report it under the appropriate FC symbol on his WPB–2633 report of shipments. When resold by the purchasing producer, the material must be recorded on his WPB–2633 reports of shipments under the appropriate allotment symbol furnished by his customer. The material will be considered as part of the production of both producers. An order placed pursuant to an allocation on Form GA–193 must be endorsed in accordance with instructions on that form.

(c) *Warehouse load directives.* Most warehouses load directives will continue in effect

at least until September 30, and producers may, pursuant to Direction 3 to Order M–21, accept unrated orders as well as authorized stock replacement orders within the load directive. However, the producer must remove unrated orders to make space available for authorized stock replacement orders as received. After the expiration date of the space reservation, unrated orders accepted from distributors within the load directive have the same status as unrated orders accepted from users of steel and must be set back when it is necessary to accept authorized controlled material orders either from warehouses or from users of steel.

(d) *Acceptance of orders.* (1) All steel producers may accept unrated orders without limit, but authorized controlled material orders, including Z–3 and FCZ orders, must be accepted in accordance with CMP Regulation 1. A producer will continue to accept orders by month of delivery and fill them in accordance with CMP Regulations.

(2) Production directives wil be related to the available capacity in the case of tight items. Should a producer desire to accept additional authorized controlled material orders which can be filled in the month required, he may request the War Production Board to increase his production directive.

(3) It is not permissible for a producer to fill unrated orders at the expense of authorized controlled material orders. When the demand is heavy for a specific steel product a producer must fill authorized controlled material orders to the extent of his available capacity and in the case of a producer who has a production directive the excess demand must be handled on the basis of increases in production directives rather than by over-acceptance of orders.

(e) *Orders superseded.* This direction supersedes paragraph (a) (2) of Direction 6 to CMP Regulation 1.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9513; Filed, June 1, 1945; 11:39 a. m.]

PART 3270—CONTAINERS

[Conservation Order M–221, as Amended June 1, 1945]

TEXTILE BAGS

Section 3270.23 *Conservation Order M–221* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States, has created a shortage in the supply of new and used textile bags for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3270.23 *Conservation Order M–221*—(a) *What this order does.* This order places limitations on the manufacture, delivery and use of textile bags. There are various restrictions on bag makers, such as the requirement of standard size bags for packing certain commodities (paragraph (e)). The bag makers' inventories of cotton textiles are also restricted (paragraph (c)). There are also various general restrictions on the delivery and use of new and used textile bags, such as the prohibition against converting and delivery of new and used textile bags (paragraphs (j) (1) and (j) (2)), and the requirement on the users' inventories of such bags (paragraphs (k) (1) and (k) (2)). There are also special restrictions on the use of new textile bags such as requirements that only certain products may be packed in such bags (paragraphs (n) and (o)). There are also certain special restrictions covering used textile bags, such as requirements on commercial emptiers with respect to the time limit on holding empty bags (paragraph (s)).

(b) *Definitions.* Wherever used in this order: (1) "Textile bag" means any hand or machine sewed bag made for commercially packing, storing or shipping some commodity and manufactured of cotton, burlap or other textile fabric including open mesh fabrics woven from cotton or twisted paper yarns, but excepting bags made from flannel, shopping bags, carry-out bags and combination textile paper bags (bags made of textile laminated with paper).

(2) "New textile bag" means any textile bag when neither the fabric nor the bag has been previously used.

(3) "Used textile bag" means any textile bag when the bag or fabric has been previously used.

(4) "Bag maker" means any person engaged in the business of manufacturing new textile bags.

(5) "Dealer" means any person whose principal business is that of buying, selling or reconditioning empty textile bags.

(6) "User" means any person who acquired 500 or more empty new or used textile bags for use in his business during 1942 or who acquires such amount during any subsequent calendar year.

(7) "Commercial emptier" means any person who, in the preceding three months, acquired in his business and emptied 400 filled textile bags.

(8) "Export" means any shipment from the United States (the 48 states, the District of Columbia, the territories, the island possessions of the United States and the Panama Canal Zone).

(9) "Agricultural products" includes, but is not limited to, beans; chocolate; coffee; cotton; feed; flour; fruits; grain; meal; nuts; potatoes; poultry grits; rice; salt; seeds; starch; sugar; tobacco; vegetables.

(10) "Wool bags" mean any new or used textile bag made of burlap between 5½ and 7½ feet in length, ordinarily used to package wool. Such bag shall not be considered a "wool bag" when it is no longer capable of carrying any of the following: Fleece wools, grease wools, pulled wools, scoured wools, noils, wool wastes or mohair.

RESTRICTIONS ON BAG MAKERS

(c) *Inventories of cotton textiles.* In addition to the restriction on the inventories of cotton textiles in Order M–317, no bag maker shall accept delivery of any cotton textiles as defined in Order M–317 which will increase his inventory of such cotton textiles to more than his reasonable requirements for the next 60 days, except that whenever such inventory is less than a 60-day supply, he may accept the minimum delivery customarily required by his supplier. For the purpose of this paragraph, a bag maker shall be deemed to "accept delivery" of such cotton textiles when he either takes legal title to such textiles or physical possession or control of them (whichever event occurs first) except that he may exclude from his inventory those textiles which are in transit to him or in transit to the finisher for his account. However, in addition to the above inventory restrictions, a bag maker's inventory as defined above plus such cotton textiles in transit to him or in transit to the finisher for his account must not exceed at any time his reasonable requirements for the next 90 days.

(d) *Rules applicable to inventory restrictions.* All bag makers owned or controlled directly or indirectly by the same person shall be deemed to be a single bag maker for the purpose of applying the inventory restrictions of this order. Any bag maker who accepts cotton textiles at more than one plant must apply the inventory restrictions of this order to the collective operations of all its plants. In the case where a bag maker is also engaged in the business of manufacturing cotton textiles, the inventory restrictions of this order shall apply to such a bag maker as if his operations as a bag maker are done by a separate person.

(e) *Bag sizes for certain commodities.* Except for bags to be exported, empty or filled, no bag maker shall manufacture any new textile bag designed for packing any commodity listed below, except in any size of more than 100 lbs., or in any of the sizes specified below for that commodity.

Commodity	*Bag size (net weight capacity unless otherwise specified)*
Beans	2–5–10–25–50–100 lbs.
Cement (standard portland)	94 lbs.
Flour (milled wheat)[1]	2–5–10–25–50–100 lbs.
Meal	2–5–10–25–50–100 lbs.
Plaster (gypsum)	2–5–10–25–50–100 lbs. (gross weight).
Potatoes[2]	2–5–10–15–25–50–100 lbs.
Processed feed (mixed, mill)	2–5–10–25–50–100 lbs.
Rice	2–3–5–10–15–25–50–100 lbs.
Salt	2–4–10–25–50–60–100 lbs.
Seeds	2–5–10–25–50–100 lbs. 1, 2 bu.[3]
Starch (corn)	2–5–10–25–50–100 lbs.
Sugar (refined cane, beet)	2–5–10–25–50–100 lbs.

[1] "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and bleached, promated, enriched, phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

[2] These restrictions do not apply to open mesh bags used for packing potatoes.

[3] Additional sizes are permitted as follows: 8 lb. or ½ bu. of hybrid seed corn; 3 bu. for cotton seed.

(f) *Other prohibitions on bag makers*—(1) *Jeans.* No bag maker shall use cotton fabrics known as "Jeans" (CPRB Class 16A) for any other purpose than for making bags to pack Silica Jel or other desiccants.

(2) *False seams.* No bag maker shall manufacture any new textile bag in a manner that wastes materials, as for example, with a false seam that enables the bag to be packed with a lesser amount of any commodity than the bag would hold if there were no false seams.

(3) *Overstitching.* No bag maker shall overstitch the raw edges or selvage edge of any new cotton textile bag.

RESTRICTIONS ON DELIVERY OR USE OF NEW OR USED TEXTILE BAGS

(g) *Joint responsibility.* No person shall sell or deliver cotton textiles or new or used textile bags which he knows or has reason to believe will be accepted or used in violation of the terms of this order.

(h) *Use of preference rating*—(1) *Bag makers.* A bag maker obtains his burlap for the manufacture of textile bags under the provisions of Order M–47 which allocates certain quantities of burlap to him, and no preference ratings are needed by him for such purchases. A bag maker is entitled to a preference rating of AA–2X for purchasing certain cotton textiles for the manufacture of textile bags under the provisions of Order M–317 and M–317A.

(2) *Users of textile bags.* No preference rating shall be applied or extended to obtain delivery of new or used textile bags, except a rating which has been specifically assigned for textile bags by the Army, Navy, Maritime Commission or War Shipping Administration (including persons who have been specifically assigned ratings by the Maritime Commission on Form WPB–646) for the direct or ultimate delivery of such bags either filled or empty to them.

(i) *Bags to be fully packed.* No user (excluding the Army and the Navy) shall use a new or used textile bag that is larger in size than the bag customarily used by the trade for packing the number of pounds of the commodity that he is packing.

(j) *Converting or delivery of bags*—(1) *Converting.* No person shall commercially convert any new or used jute, burlap, or cotton textile bag into an article for any other use while it has a commercial use as a bag, with or without mending.

(2) *Delivery.* No bag maker, user, dealer or commercial emptier shall deliver any new or used jute, burlap or cotton textile bag, if he knows or has any reason to believe that such bags will be used for any purpose other than as a bag, while such bag has a commercial use as a bag, with or without mending. This restriction shall not apply to used cotton liners.

(k) *Users' inventories*—(1) *New textile bags.* No user shall accept delivery of or have set aside for his account, any new textile bags which will increase his inventory of new textile bags (including those held by others for his account as well as those he has on hand) to more than a practicable minimum working inventory for packing the commodities which are permitted to be packed in such bags by this order. Except in the case of bags required by a user for packing a seasonal commodity, (whether or not produced by him) (see Interpretation 1A to Priorities Regulation 1) such inventory shall not exceed the aggregate number of new empty textile bags which will be required to carry on his business during the next sixty days.

(2) *Used textile bags.* No user shall accept delivery of, or have set aside for his account, any used textile bags which will increase his inventory of used textile bags (including those held by others for his account as well as those he has on hand) to more than a practicable minimum working inventory for the uses which are not prohibited by this order. Except in the case of bags required by a user for packing a seasonal commodity (whether or not produced by him) (see Interpretation 1A to Priorities Regulation 1) such inventory shall not exceed the aggregate number of used empty textile bags which will be required to carry on his business during the next sixty days.

(l) *Use of wool bags.* Wool bags shall be used only for packing or wrapping wool or wool products.

(m) *Mohair bags.* No user shall use any new or used textile bags for packing mohair, unless the word "mohair" appears in legible type on both sides of the bag.

SPECIAL RESTRICTIONS ON NEW TEXTILE BAGS

(n) *Products permitted for new burlap bags.* No person shall use any new textile bag made of burlap for packing fertilizer, fish meal, fish scrap, tankage, meat scraps or for any purpose other than the packing of the following permitted products: agricultural products; abrasives; crushed oyster shells; meat; mohair; petroleum waxes; stearic acid; wool or wool products; or chemicals for export. These restrictions do not apply to surplus new military sand bags which may be used to pack any product. Also, the above prohibition against using a new burlap bag to pack fertilizer shall not apply to new burlap textile bags which were in process of manufacture on or before June 1, 1945.

(o) *Products permitted for new cotton bags and open mesh bags made of cotton or twisted paper yarn*—(1) *Permitted products.* No user shall use any new textile bag made of cotton or open mesh bag made of cotton or twisted paper yarn for packing fish meal, fish scrap, tankage, meat scraps, or for any purpose other than the packing of the following permitted products: agricultural products; abrasives; chemicals; cements; coins; currency; fertilizer; glue; gypsum; malt; meat; paste; plaster; samples; sand; securities; shell fish; small parts; tire chains; or such other uses as may be authorized by the War Production Board in writing pursuant to paragraph (o) (2) below.

(2) *Applications.* Applications for such authorizations should be made on Form WPB–1319, which is to be filed in accordance with the instructions for its use. Applications will be considered only on the basis of the essential need for new bags, the availability of the supply, and the availability of used bags or substitute containers. The application form and the instructions may be obtained at all War Production Board offices.

(p) *Certification.* No person shall sell or deliver any new textile bags in quantities of over 1,000 unless he has received from the purchaser a certificate signed manually or as provided in Priorities Regulation 7. This certificate shall be in substantially the following form, and once filed by a purchaser with a supplier covers all future deliveries from the supplier to that purchaser:

> The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M–221 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned, will be in compliance with the order as amended from time to time.

The standard certificate provided for in paragraph (d) of Priorities Regulation 7 cannot be used in place of the above certificate nor may the certificate be waived in accordance with paragraph (f) of that regulation.

SPECIAL RESTRICTIONS ON USED TEXTILE BAGS

(q) *Processing of used bags for sale.* No dealer, user, or commercial emptier shall sell or deliver any used textile bag to any person unless the bag has been processed and repaired and all holes, including trier or probe holes, properly mended or patched. Nothing in this paragraph shall prevent the delivery of any bag for the purpose of repair or for delivery to the owner. For the purposes of this provision, "process" means to clean a used textile bag by washing, vacuuming, or any other method sufficient to prepare the bag for further reuse.

(r) *Emptying bags.* No commercial emptier shall remove the contents of any textile bag except by opening the closure, unless the contents have become so caked or solidified that salvage of the bag is not practicable.

(s) *Time-limit on holding empty bags.* Within 60 days after emptying any number of textile bags, a commercial emptier shall use, or transfer to dealers or users, an equal amount of empty used textile bags from his inventory. Such disposition may be deferred beyond the 60-day period in the following cases:

(1) *Seasonal reuse.* If the commercial emptier needs the bags for packing a seasonal product (whether or not produced by him), he may retain them until the product becomes available for packing, subject, however, to the inventory restrictions of paragraph (k) (2) above.

(2) *Carload accumulation.* If, in accordance with his past practice, the commercial emptier wishes to accumulate a carload quantity of such bags for return to users for further packing of the kind of product last packed in them, he may retain such bags until he has accumulated a carload quantity.

GENERAL EXCEPTIONS

(t) *Bags for certain Government agencies.* The provisions of this order (except paragraphs (c), (d), and (h) (2)) shall not apply to (1) textile bags manufactured to meet the packaging specifications of, and for delivery to or for the account of the Government agencies or persons listed below, or (2) textile bags for delivery of a product for the account of any of the agencies or persons listed below, provided the packing specifica-

tions call for textile bags, or (3) the purchase, acceptance, use or export of textile bags by these agencies or persons: Army, Navy, United States Post Office, Federal Reserve System, United States Treasury Department, any agency procuring for delivery pursuant to the act of Congress of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), Veterans' Administration and Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon and other persons whose purchase orders bear a preference rating for textile bags assigned by the Maritime Commission under Form WPB-646 (formerly PD-300)).

(u) *Export of empty bags.* No permission from the War Production Board is necessary to export empty new or used textile bags. The War Production Board has assigned an export quota to the Foreign Economic Administration and no person is permitted to export such bags to any destination other than Canada unless authorized by the Foreign Economic Administration. Application for export licenses should be sent to the Foreign Economic Administration, Bureau of Supplies, Requirements & Supply Branch, Washington 25, D. C. General information and instructions for export are contained in the Comprehensive Export Schedule issued by the Foreign Economic Administration.

(v) *Exception for mailing bags.* The provisions of this order (except paragraphs (c), (d), (h) (2)) shall not apply to any textile bag which is purchased or used for commercial shipment of articles in the United States mails. In any case where a textile bag which was purchased for such mailing purposes is not used for these purposes, then the use of the bag is subject to the provisions of this order.

MISCELLANEOUS PROVISIONS

(w) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C., Ref: M-221.

(aa) *Appeals.* Appeals from Order M-221 shall be filed by addressing a letter to the War Production Board, Containers Division, Washington 25, D. C. Ref: M-221. The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in excessive and individual hardship, and such other statistical and narrative information as may be pertinent.

(bb) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(cc) *Budget approval.* The application and reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(dd) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction, may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control and may be deprived of priorities assistance.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9509; Filed, June 1, 1945; 11:30 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-303, as Amended June 1, 1945]

METAL INSECT SCREEN CLOTH

The fulfillment of requirements for the defense of the United States has created a shortage of materials, facilities, manpower and transportation for the manufacture and delivery of metal insect screen cloth for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3284.26 *General Limitation Order L-303*—(a) *Purpose of the order.* Because of the tremendous demands of the military and allied agencies for insect screen cloth, the importance of this product to the health and welfare of the civilian economy, and the inadequacy of present production to supply military and essential civilian needs, this order places certain restrictions on the manufacture and distribution of metal insect screen cloth. It authorizes the War Production Board to schedule deliveries and to direct transfers and changes in delivery schedules. It also requires metal insect screen cloth producers to file reports.

(b) *Definitions.* For the purpose of this order:

(1) "Metal insect screen cloth" means a fabric of woven wire designed and constructed primarily for installation in an opening or passageway of a building or structure for the purpose of preventing the entrance of insects.

(2) "Producer" means a person who weaves metal insect screen cloth.

(3) "Distributor" means any person who buys metal insect screen cloth direct from a producer for sale in full rolls or cut lengths.

(4) "Screen products" means window screens, screen doors, combination storm and screen sash or doors.

(5) "Essential civilian users" means any of the following:

(i) Hospitals, nurses' homes, health centers, asylums or other institutions for the care of the mentally or physically sick.

(ii) Institutions, other than named in (i), public or private including but not limited to schools, colleges, libraries, welfare establishments and churches (only for kitchens, dining rooms, sick rooms, laboratories or toilets).

(iii) Milk or food processing plants and establishments (only for those parts of the buildings where the processing occurs).

(iv) Establishments such as restaurants and retail stores where milk or food is served or sold.

(v) Public transportation and utilities (only for eating places, toilet rooms, laboratories, switchboard and control rooms and towers, and work cars).

(vi) Industrial operations (only as part of the equipment used in the industrial operations where substitute materials cannot be used, for example as a strainer or sieve, but not for use as a component part of products made in such industrial operations).

(c) *Simplification and standardization.* (1) No producer shall weave or fabricate any steel insect screen cloth except in conformity with the type, mesh, finish, diameter and widths established by Schedule I of this order.

(2) Notwithstanding the provisions of paragraph (c) (1) above, steel insect screen cloth may be woven or fabricated without conforming to the type, mesh, finish, diameter or widths specified in Schedule I if such cloth or screen products are required to fill an order actually on hand for delivery (i) to or for the account of an agency or government named in § 944.1, paragraph (b) (1) or (b) (2) of Priorities Regulation 1, or (ii) under an export license issued by the Foreign Economic Administration or for the account of the United Nations Relief and Rehabilitation Administration.

(d) *Reports and authorizations*—(1) *Monthly.* On or before the 10th day of each month, every producer shall file Form WPB-4062, showing the producer's shipments of metal insect screen cloth during the preceding month, unfilled orders, total orders received and the other data prescribed by that Form WPB-4062, in accordance with the instructions furnished with the form.

(2) *Quarterly.* For each calendar quarter every producer shall file Form WPB-4062 on or before the 10th day of the month immediately preceding the calendar quarter covered by the report Form WPB-4062. This form shall be prepared in accordance with the instructions furnished with it, and after this form has been processed by the War Production Board a copy will be returned

to the producer prior to the 1st day of the calendar quarter succeeding such filing, showing the deliveries he is authorized to make.

(e) *Restrictions on delivery by producers.* (1) No producer shall deliver metal insect screen cloth except in accordance with the delivery schedule which the War Production Board has determined for him and authorized on Form WPB–4062. This form will indicate the quantities of metal insect screen cloth which a producer is authorized to deliver on orders for the following classes:

Orders for the Military, bearing the symbol W, O, N, C, or M, or the project serial number for a Veterans Administration project. (See paragraph (h).)
Orders bearing the symbol E or L.
Orders bearing the symbol H.

All other orders bearing WPB symbols or preference ratings except those symbols indicating that the material is to be used for MRO supplies.

Moreover, no producer shall deliver metal insect screen cloth on unrated orders.

(2) *Sequence of deliveries by producers.* All deliveries must be made in accordance with Priorities Regulation 1 except, of course, a producer shall not deliver to purchasers in any one of the classes referred to in paragraph (e) (1) more than the amounts authorized for that class on Form WPB–4062.

(f) *Distribution of metal insect screen cloth to civilian users.* It is the policy of the War Production Board to grant priorities assistance to channel metal insect screen cloth to essential civilian users as defined in paragraph (b) (5), in the manner explained below.

(1) *Distributors.* Distributors may use Form WPB–547, filed in accordance with instructions on that form. Granting of preference ratings on WPB–547 applications for metal insect screen cloth to replenish stock will be subject to the available supply for this purpose.

Distributors receiving orders from essential civilian users, either directly or indirectly, should list in their application the name and address of each essential civilian user ordering one roll or more of metal insect screen cloth, indicating for each user the quantity ordered or shipped, and the class of essential civilian user as defined in paragraph (b) (5).

A distributor may also extend the preference rating of his customer and may further identify his orders by placing on them the appropriate identification (such as CMP allotment symbols) which appeared on the orders of his customers; he must do so when he requests the producer to make shipment directly to the customer of the distributor.

(2) *Direct purchasers from producers.* The War Production Board will generally assign preference ratings on Form WPB–541 to purchase metal insect screen cloth only to essential civilian users who bought 75% or more of their metal insect screen cloth directly from a producer in the year 1941 or in any previous year. An applicant who files Form WPB–541 should state whether he purchased more than 75% of his metal insect screen cloth directly from a producer in 1941 or an earlier year. If he did not purchase metal insect screen cloth before 1942, he should give full information why he is unable to purchase it from dealers or distributors.

(3) *MRO ratings.* Blanket MRO ratings (as defined in Priorities Regulation 3) may not be applied to get metal insect screen cloth. No person shall give any effect to any rating applied to his deliveries of metal insect screen cloth if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for metal insect screen cloth shall be deemed void. The restrictions of this paragraph are not applicable when the blanket MRO rating is applied to get metal insect screen cloth for use on board ship, but in such a case the rating may not be extended by the person to whom it is applied.

(4) The War Production Board generally will not grant priorities assistance to get metal insect screen cloth to any person who is not an essential civilian user.

(g) *Screen products manufacturers.* A manufacturer of screen products as defined in paragraph (b) (4), who has obtained a preference rating as a result of filing Form CMP–4B or Form WPB–2613, or who has the right to extend his customer's preference rating to get metal insect screen cloth may not receive from all sources more metal insect screen cloth for making screen products than has been authorized by the War Production Board on Form WPB–4079. This form must be filed with the War Production Board Lumber and Lumber Products Division, Washington 25, D. C. When a manufacturer of screen products purchases metal insect screen cloth in accordance with an authorization on Form WPB–4079, he shall state in writing on his order "Authorized on Form WPB–4079, Serial No. ____, for the ____ quarter" (specifying which quarter). Authorization on Form WPB–4079 does not of itself give the applicant a preference rating under Priorities Regulation 1. Screen cloth obtained under an authorization given on Form WPB–4079 may be used only for the manufacture of screen products.

(h) *Identification of purchase orders.* Orders originating with one of the following agencies will bear the identifying symbol: War Department (W) or (O), Navy Department (N), ARCO (C), Maritime Commission (M), War Shipping Administration (M), or containing a preference rating which has been assigned on Form WPB–646, Veterans Administration,[1] Foreign Economic Administration (E) or (L), or National Housing Agency (H). In the case of the Veterans Administration the purchase order must be directly from the Veterans Administration, or from a person doing construction work for the Veterans Administration, and in the latter case it must show the project serial number assigned by the War Production Board on Form GA–1456.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal. Such appeals shall be filed with the War Production Board, Building Materials Division, Washington 25, D. C.

(k) *Applicability of regulations.* This order and all transactions affected by it are subject to all applicable regulations of the War Production Board as amended from time to time, except as herein otherwise provided.

(l) *Reports.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Routing of correspondence.* All reports required by this order and all communications concerning this order, unless otherwise directed herein, shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref: L–303.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[1] The Veterans Administration is not a claimant agency and has no allotment symbol under CMP Regulation 1.

SCHEDULE I

NOTE: Schedule I amended June 1, 1945.

Type wire	Mesh (per inch)	Finish	Diameter of wire[1]	Widths[2]
Low carbon steel	12 x 12	Painted	.0110	24", 26", 28", 30", 32", 36", 42", 48"
	16 x 16[3]	Painted or galvanized	.0110	24", 26", 28", 30", 32", 36", 42", 48"
	18 x 14	Painted or galvanized	.0110	24", 26", 28", 30", 32", 36", 42", 48"

[1] Two different sizes of warp and filler wires, approximately the same, having the average diameter of .0110 inch, shall be permitted. Permissible tolerance in wire diameter shall be .0005 inch.
[2] Non-conforming widths are permitted to fill an order or orders for a minimum production run of not less than 4000 linear feet of any one width.
[3] 16 x 16 may be manufactured until July 1, 1945, but not after that date.

[F. R. Doc. 45-9511; Filed, June 1, 1945; 11:30 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-91, as Amended June 1, 1945]

COTTON DUCK

§ 3290.56 *Conservation Order M-91.* (a) (1) "Cotton duck" means cotton fabrics commonly known by that name, in any weight, 15 inches or wider, in the grey, bleached, dyed, printed or proofed state, including but not limited to the following types:

(1) Army duck (including woven awning stripe)
(2) Breaker duck (breaker fabric) including plain weave (cider-press) and leno weave
(3) Bootleg duck (boot duck)
(4) Chafer duck (chafer fabric) including single and plied yarn
(5) Flat duck, whether single or double filled, including enameling duck, gem duck, ounce duck and wagon cover duck
(6) Filter duck and filter twill
(7) Harvester duck
(8) Hose and belting duck
(9) Laundry duck, including apron duck and cover duck
(10) Numbered duck, including wide or sail, and narrow or naught
(11) Shelter tent duck
(12) Shoe duck

(2) "Producer" means a producer of cotton duck.

Restrictions

(b) No producer shall deliver cotton duck even though he receives a rated order, unless:

(1) It is to fill a direct order or contract (not including subcontracts) with the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration; or

(2) It is numbered duck, filter duck or filter twill produced on looms which on April 7, 1944 were producing or were assigned to produce cotton duck for manufacture into items listed on Schedule A, and the purchaser states in writing that it will be used for that purpose (Authorization to deliver other types of cotton duck may be granted on written application when specifications of the Army or Navy of the United States or the Maritime Commission require other types), or

(3) The producer is authorized, after application by him on Form WPB-678 (formerly PD-329), to deliver it for specified purposes. Deliveries of cotton duck, when so authorized, shall be made by such producer as nearly as possible pro rata to purchasers of cotton duck from him for the specified purposes during the year 1943, and only to purchasers who certify that the cotton duck will be used only for the purposes specified in the authorizations; or

(4) The purchaser is authorized, after application by him on Form WPB-678 (formerly PD-329) to accept delivery of cotton duck. However, no purchaser needing cotton duck for direct or ultimate delivery to, or for incorporation into any material to be delivered directly or ultimately to the Army or the Navy of the United States, the Maritime Commission or the War Shipping Administration, will be authorized to buy it unless, before filing his application with the WPB on Form 678, he has first made application for the necessary duck to the agency whose prime contract is to be filled or to the Office of the Quartermaster General, Washington, D. C., and accompanies his application to the WPB with a letter from such agency or the Office of the Quartermaster General refusing the delivery requested; or

(5) It has been rejected in writing by both the Army and Navy of the United States; or

(6) It is in lengths not exceeding ten yards produced in the ordinary course of manufacture; or

(7) [Deleted Sept. 14, 1944.]

(8) [Deleted Sept. 14, 1944.]

(c) No producer who has any loom designated for but not needed to fill orders for cotton duck for manufacture into items listed on Schedule A, shall use such looms except for deliveries to the Army or Navy of the United States. Not withstanding any contract or purchase order made with the Army or Navy of the United States for the production of such looms, the War Production Board may at any time direct that the production of such looms shall be delivered solely or to the extent designated for manufacture into items listed on Schedule A.

(d) No industrial consumer shall:

(1) Accept delivery in a calendar month of cotton duck designated for Schedule A items, in excess of 1/12 of the yards or pounds (whichever is the standard unit of purchase) which such person put into process in 1941 for the manufacture of such items. (The fact that cotton duck for the manufacture of items on Schedule A is needed for the delivery to the Armed Services or to persons producing for the Armed Services does not permit any industrial consumer to accept more cotton duck under paragraph (b) (2) than is permitted by paragraph (d) (1).)

(2) Accept delivery of Schedule A items, unless required by him within sixty days after receipt for actual use or resale in the 48 states (or within ninety days after receipt for actual use or resale outside the 48 states) or to enable him to have minimum spare materials in stock as a reserve for emergency breakdown.

(e) (1) No producer shall manufacture any cotton duck on looms which on April 7, 1944 were operating on or were assigned to produce cotton duck for incorporation into any item on Schedule A, except cotton duck for incorporation into Schedule A items, or for delivery to the Army or Navy of the United States to the extent permitted by paragraph (c).

(2) Every producer of cotton duck shall operate each of his looms suitable for the production of Army Duck (8 oz. on a 28½" width basis, and heavier), Numbered Duck, Flat Duck (12.10 oz. per square yard, and heavier), Shelter Tent Duck, Hose and Belting Duck and Chafer Fabric, single or ply, at least as many hours per week as the loom which is operated the most hours per week in his plant.

General Provisions

(f) All communications concerning this order shall, unless otherwise directed in writing, be addressed to the War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref. M-91.

(g) Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) Any person who wilfully violates any provision of this order, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using materials under priorities assistance by the War Production Board.

(i) This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except as otherwise provided in this order.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Schedule A amended by deleting Parts I, II and IV, June 1, 1945.

PART III—COTTON DUCK PRODUCTS LISTED BELOW MANUFACTURED FROM NUMBERED OR FILTER DUCK AND FILTER TWILLS

Chemical filters.
Cane and beet sugar industrial filters.
Oil and wax filters.
Paint filters.
Dyestuff filters.
Filters used in the processing of food products.
Mining, quarrying and smelting filters.
Filters used in the processing of ceramics.
Cement filters.

INTERPRETATION 1

NOTE: Interpretation 1 is obsolete.

[F. R. Doc. 45-9508; Filed, June 1, 1945; 11:30 a. m.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-310, General Direction 13 as Amended June 1, 1945]

CUTTING OF MANUFACTURERS'-BENDS-FOR-REPAIR

The following amended direction is issued pursuant to General Conservation Order M-310:

(a) Notwithstanding the provisions of Schedule B, no cutter shall cut any manufacturers'-bends-for-repair which are delivered to him during the period from February 12, 1945 through July 31, 1945 under individual Direction L-114 to Conservation Order M-310 (issued to tanners) except as follows: so as to produce from manufacturers'-bend-for-repairs leather for civilian shoe repair purposes after first producing an average for each calendar month of 3 pairs of military quality innersoles (as defined in Order M-310) from each bend. Only manufacturers'-bends-for-repair delivered under invoices bearing substantially the following notation shall be regarded as having been delivered under Direction L-114:

"Delivered under Direction L-114 to Order M-310."

(b) No cutter shall cut more than an average of 20% of these bends (excluding the strips from which the military quality innersoles have been removed) into strips (which shall not exceed eleven inches in width); the remainder shall be cut into taps. All of the manufacturers'-bends-for-repair, excluding the military quality innersoles which have been removed, shall be cut in a manner suitable for women's shoes.

Issued this 1st day of June 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-9510; Filed, June 1, 1945; 11:30 a. m.]

Chapter XI—Office of Price Administration

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183-A, Amdt 3]

DISTILLED SPIRITS SHIPPED FROM PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 2 (a) is amended to read as follows:

SEC. 2. *Maximum prices*—(a) *F. o. b. maximum prices.* Maximum prices f. o. b. Puerto Rico port of embarkation for sales of rum per case produced in Puerto Rico, when such sales are consummated in Puerto Rico by any person to any importer, and for sales of such rum to any foreign purchaser, shall be the following:

TABLE I

Proof (degree)	Size of cases							
	4 1 gallons	12 ⅕ quarts	15 ⅕ quarts	12 quarts	24 pints	24 ½ pints	48 ½ pints	Miniature 144 1/10 pints
85	$10.45	$7.32	$9.15	$8.69	$9.19	$8.07	$9.69	$8.94
86	10.53	7.37	9.21	8.75	9.25	8.12	9.75	8.98
89	10.77	7.52	9.40	8.93	9.43	8.27	9.93	9.09
90	10.85	7.57	9.46	8.99	9.49	8.32	9.99	9.12
120	13.25	9.00	11.25	10.79	11.29	9.75	11.79	10.20
125	13.65	9.24	11.55	11.09	11.59	9.99	12.09	10.38
151	15.73	10.49	13.11	12.65	13.15	11.24	13.65	11.32

NOTE: The prices in this table do not include Federal excise and rectification taxes or the cost of strip stamps, which may be added to the above prices to the extent actually paid.
Maximum prices are established for all degrees of proof; the adjustment to determine the maximum price for any degree of proof not listed in the table is 2 cents per degree of proof per gallon.

This amendment shall become effective June 5, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc 45-9437; Filed, May 31, 1945; 11:41 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 525,[1] Amdt. 7]

JOBBER SALES OF STOCK MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 525 is amended in the following respects:

1. A new section 24, Appendix L is added to read as follows:

SEC. 24. *Appendix L: Maximum prices for the Denver area*—(a) *Area definition.* The Denver area includes all of the State of Colorado; and the State of Wyoming, except the counties of Teton, Sublette, Lincoln, and Uinta and that portion of Sweetwater County east of a line starting at the point where the boundary line between Sublette and Fremont counties reaches the northern boundary of Sweetwater county and continuing south to and east of the town of Rock Springs, and thence south to the northern border of Colorado.

(b) *Items covered and stock lists.* The stock millwork items which are covered by this regulation in the Denver area are all of the items which meet the following tests:

(1) They are stock millwork items as defined in section 2 (a), and

(2) Regardless of trade name, they are a size and kind of stock millwork included in the millwork price list in effect in March 1942, section A, pages 1 to 32; section B, pages 1 to 16; and section D, pages 1 to 4, issued by Lumber Dealers, Incorporated of Denver and Pueblo, Colorado; and Cheyenne, Wyoming, which is designated as the area stock list.

If any items are listed as stock millwork on a stock list or price list (other than the area stock list as designated in the preceding paragraph numbered (2)) issued or used by any person in making a "jobber's sale of stock millwork" in this area, such items are stock millwork in this area when sold by such person, whether or not they are listed in the area stock list described above.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Denver area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork", plus the percentage mark-up in sub-paragraph (4) (i) below:

(2) For stock millwork priced in Revised Price Schedule 44, the maximum f. o. b. mill price established by Revised Price Schedule 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the Denver area, plus the percentage mark-up in sub-paragraph (4) (ii) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), seller may apply for approval of a price under sections 3 (a) (2) and 3 (a) (3) of this regulation.

[1] 9 F.R. 3735, 7690, 10424, 11798, 14674; 10 F.R. 117.

(4) *Mark-ups.* (i) All items covered by section 24, paragraph (c) (1):

	Percentage Mark-up
Glazed Sash, 1⅜" and 1⅛":	
Standard items	12½
Slow-moving items	57
Doors—W. P. P.:	
Panel:	
Standard	16
Slow-moving	55
Sash:	
Standard	18½
Slow-moving	47½
French:	
Standard	23½
Slow-moving	43½
Doors—Hardwood:	
Panel	40
Hollow core	15½
Slab—solid core	40
Cupboard Doors:	
Hollow core	14
Panel—W. P. P.	38
Garage Doors—W. P. P. (including overhead)	19½
Frames—W. P. P.:	
Outside door and window	22
Inside door jambs	43½
Window and Sash Screens	28
Window and Sash Units	42½
Lock—Joint Window and Door trim	42½
Entrance Frames	42½
Kitchen Units	38
Mantels	43
China Closets	42½
Other Stock Cabinet Work	43
Stair Parts	43
Louvres and Gable Openings	22
Blinds and Shutters	38

(ii) All items covered by section 24, paragraph (c) (2):

	Percentage mark-up
Fir Doors:	
Panel:	
Standard	29
Slow-moving	42
Sash:	
Standard	18½
Slow-moving	73½
French:	
Standard	17½
Slow-moving	52½
Garage (Including overhead)	24½

(5) *Designation of standard and slow-moving items.* (i) For this area, standard and slow-moving items are as shown by Lumber Dealers, Inc., Pueblo and Denver, Colorado; and Cheyenne, Wyoming in its stock list. Standard items are designated therein by * and slow-moving items are unmarked.

(ii) Any item on a stock list in effect on January 1, 1945 classified as standard shall not be transferred to the higher mark-up column, regardless of how marked in catalog or price list.

(d) *Maximum prices for quantity sales.* For less-than-carload sales of windows and sash in full bundle quantities, the maximum prices shall be 5 percent less than the maximum prices computed for sash and windows in paragraph (c) (4) (i) above.

(e) *Delivery.* (1) For delivery by company-owned trucks in a zone recognized by the jobber in March 1942 to be a free delivery zone, for any size order, containing full or broken bundles, no delivery charge may be added to the maximum prices computed according to paragraph (c) above. For delivery by company-owned trucks in other than a free delivery zone the same charges may be added to the maximum prices as were added in March 1942 on deliveries of like quantities to like classes of purchasers.

(2) When shipments are made by common carrier the maximum prices established by this regulation are f. o. b. warehouse, and the purchaser must pay the actual freight charges from warehouse location, unless the freight charges from either Cheyenne, Wyoming or Pueblo, Colorado, to the point of delivery are lower, in which case the purchaser shall pay only the lower freight charge from either of these points.

(3) When shipments are made by common carrier, the crating charges specified below may be added to the maximum prices:

Item	Number of size and kind in a full bundle	Crating charge permitted
Check rail windows	6	$0.30 per broken bundle.
Plain rail windows	8	$0.30 per broken bundle.
Single sash	12	$0.30 per broken bundle.
Storm sash	6	$0.30 per broken bundle.
Screens	12	$0.30 per broken bundle.
Doors 1⅜" and 1¾" thick.	6	$0.60 per broken or full bundle.
Doors 1¾" thick	4	$0.60 per broken or full bundle.
Garage doors	1 pair or 1 set.	$0.60 per broken or full bundle.
Cupboard doors	8	$0.25 per broken or full bundle.
Set-up window units, e. g. Andersen.	1 unit	$1.00 p r unit.

2. A new section 25, Appendix M is added to read as follows:

SEC. 25. *Appendix M: Maximum prices for the Salt Lake City area*—(a) *Area definition.* The Salt Lake City area consists of the State of Nevada; the State of Utah; the part of Idaho consisting of the counties of Twin Falls, Gooding, Jerome, Lincoln, Blaine, Butte, Clark, Fremont, Teton, Madison, Jefferson, Bonneville, Bingham, Power, Minidoka, Bannock, Caribou, Oneida, Franklin, Bear Lake, and Cassia; and the part of Wyoming consisting of Teton, Lincoln, Sublette, and Uinta Counties and the part of Sweetwater County west of a line starting at the point where the boundary line between Sublette and Fremont Counties reaches the northern boundary of Sweetwater County, and continuing south to and east of the town of Rock Springs, and thence south to the northern border of Colorado.

(b) The stock millwork items which are covered by this regulation in the Salt Lake City area are all of the items which meet the following tests:

(1) They are stock millwork items as defined in section 2 (a), and

(2) Regardless of trade name, they are a size and kind of stock millwork included during March 1942 in the 600 Series of the Price Guide issued by Morrison-Merrill and Company of Salt Lake City, Utah, which series is designated as the area stock list.

If any items are listed as stock millwork on a stock list or price list (other than the area stock list as described in the preceding paragraph numbered (2)) issued or used by any person in making a "jobber's sale of stock millwork" in this area, such items are stock millwork in this area when sold by such person, whether or not they are listed in the area stock list described above.

(c) *Maximum prices.* The maximum less-than-carload prices for delivery in the Salt Lake City area are as follows:

(1) For stock millwork priced in Revised Maximum Price Regulation 293, the maximum carload direct-mill shipment price to dealers, freight allowed, for the zone in which delivery is made in a "jobber's sale of stock millwork," plus the percentage mark-up in subparagraph (4) (i) below:

(2) For stock millwork priced in Revised Price Schedule 44, the maximum f. o. b. mill price established by Revised Price Schedule 44 for persons who, during the first nine months of 1941, received the seller's prevailing maximum discount adjusted for freight (computed according to the provisions of section 3 (c) (2) of this regulation) to the jobber's warehouse from which deliveries are made to the Salt Lake City area, plus the percentage mark-up in sub-paragraph (4) (ii) below:

(3) For stock millwork items priced in any other regulation named in section 2 (a), the seller may apply for approval of a price under sections 3 (a) (2) and 3 (a) (3) of this regulation.

(4) *Mark-ups.* (i) All items covered by section 25, paragraph (c) (i):

	Percentage mark-up
Glazed Windows and Sash	25
Window Screens	31
Storm Sash	29½
Entrance and Interior Doors—W. P. P.	42
Inside Door Jambs	31½
Window and Door Frames	36½
Blinds and Shutters	68
Entrance Frames	28
Window and Sash Units	33½
Louvre and Gable Openings	28
Kitchen Units	21½
China Closets	21½
Mantels	17
Telephone Cabinets	32
Medicine Cabinets	18½
Stair Parts	25½

(ii) All items covered by section 25, paragraph (c) (2):

	Percentage mark-up
Fir House Doors (including French doors)	45
Fir Rim Doors	45
Fir Garage Doors	62

(d) *Maximum prices for carload sales.* The maximum prices for any millwork items sold under this regulation and included in any carload shipment shall be 12½ percent less than the maximum prices computed according to paragraph (c) above.

(e) *Delivery.* (1) For delivery by company-owned trucks in a zone recognized by the jobber in March 1942 to be a free delivery zone, for any size order, containing full or broken bundles, no delivery charge may be added to the maximum prices computed according to paragraph (c) above. For delivery by company-owned trucks in other than a free delivery zone the same charges may be added to the maximum prices as were added to March 1942 on deliveries of like quantities to like classes of purchasers.

(2) When shipments are made by common carrier the maximum prices established by this regulation are f. o. b. warehouse from which shipment is made.

(3) When shipments are made by common carrier the crating charges specified below may be added to the maximum prices:

Item	Number of size and kind in a full bundle	Crating charge permitted
Check rail windows	6	$0.30 per broken bundle.
Plain rail windows	8	$0.30 per broken bundle.
Single sash	12	$0.30 per broken bundle.
Storm sash	6	$0.30 per broken bundle.
Screens	12	$0.30 per broken bundle.
Doors 1⅜" and 1⅜" thick.	6	$0.60 per broken or full bundle.
Doors 1¾" thick	4	$0.60 per broken or full bundle.
Garage doors	1 pair or 1 set.	$0.60 per broken or full bundle.

This amendment shall become effective June 6, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9525; Filed, June 1, 1945; 12:03 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 143, Amdt. 7]

WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 143 is amended in the following respects:

1. Footnote 2 to Table 1, Appendix I, is amended to read as follows:

[2] The discount base and maximum wholesale increase of a 5-ply tire shall be 115 percent of the discount base and maximum wholesale increase of a 4-ply tire of the same size.

2. Footnote 3 to Table 1, Appendix I, is amended to read as follows:

[3] The discount base and maximum wholesale increase of a 7-ply tire shall be 107 percent of the discount base and maximum wholesale increase of a 6-ply tire of the same size.

This amendment shall become effective June 6, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9521; Filed, June 1, 1945; 12:02 p. m.]

PART 1340—FUEL

[MPR 120, Amdt. 140]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1340.210 (a) (16) (iv) is amended by deleting the word and numerals "May 31" appearing after the word "until" and before the numerals "1945" and inserting in lieu thereof the word and numerals "June 30", and by deleting the word and numeral "May 3" appearing after the word "before" and before the numerals "1945" and inserting in lieu thereof the word and numerals "June 4".

This amendment shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9468; Filed, May 31, 1945; 5:03 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 268,[1] Amdt. 12]

SALES OF CERTAIN PERISHABLE FOOD COMMODITIES AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 268 is amended in the following respects:

1. The item "Cabbage" listed under Food Commodity No. 12 (a) in Appendix A is deleted.

2. The definition of "Cabbage" under Appendix A, paragraph (c) (12) (a) is deleted.

This amendment shall become effective June 6, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: May 25, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-9519; Filed, June 1, 1945; 12:01 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[2] Amdt. 46]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 422 is amended in the following respects:

1. In section 39 (a), the item "Cabbage" is deleted from list (3) in Table B-I.

2. In section 39 (b) (3), the definition of "Cabbage" is deleted.

This amendment shall become effective June 6, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: May 25, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-9518; Filed, June 1, 1945; 12:01 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 45]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 423 is amended in the following respects:

1. In section 28 (a), the item "Cabbage" is deleted from list (3) in Table B-I.

2. In section 28 (b) (3), the definition of "Cabbage" is deleted.

This amendment shall become effective June 6, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

Approved: May 25, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-9517; Filed, June 1, 1945; 12:01 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS

[MPR 568,[2] Amdt. 4]

HARDWOOD PLYWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 568 is amended in the following respects:

1. In section 3, the heading of paragraph (a) is amended to read as follows:

(a) *Manufacturers' prices: Manufactured to Spec. CS-35-42, 82-17 § B-1b or JAN-P-66 § B-1b.*

2. In section 3, the heading of paragraph (b) is amended to read as follows:

(b) *Manufacturers' prices: Manufactured to other specification.*

3. In section 3 (b), subparagraph (1) is amended to read as follows, but subdivisions (i), (ii), (iii) and (iv) of said subparagraph remain as presently written:

(1) For plywood manufactured according to Spec. AN-NN-P-511b, 72-48,

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[1] 8 F.R. 6129, 7116, 7661, 7592, 8682, 9365, 9299, 9460, 10568; 9 F.R. 14600, 14676; 10 F.R. 3554.

[2] 10 F.R. 1505, 2024, 2297, 3814.

[1] 10 F.R. 1523, 2025, 2298, 3814.

[2] 9 F.R. 14233; 10 F.R. 1403, 3014.

39P15 (Int.), or 82–17 § B–1c and B–1d, Marine and Hutment grades, JAN–P–66 § B–1c, B–1d and B–1e, Marine, Hutment and Fire Retardant grades or JEG–11, the application will be considered only if such application is accompanied by a letter from the War Production Board approving the use to which the buyer applies the plywood, or on sales or quotations to the United States or any agency thereof, or to any government or agency thereof, the defense of which the President deems vital to the defense of the United States, or a subcontract under any such contract.

4. In section 3 (b) (1), a new subdivision, (v), is added immediately following the subdivision numbered (iv), to read as follows:

(v) If the plywood for which an application for price approval has been filed under this section 3 (b) (1) is to be used by the purchaser in the fulfilment of a government contract or subcontract of a type referred to in subparagraph (1) above, such application must show the government contract number.

5. In section 3, paragraph (c) is amended to read as follows:

(c) *Maximum f. o. b. mill prices; direct-mill sales by sellers other than manufacturers of hardwood plywood.* The maximum f. o. b. mill price on direct-mill shipments of hardwood plywood for sales made by a seller other than a manufacturer of hardwood plywood shall be the maximum price that would be permitted to that seller under the General Maximum Price Regulation. Such seller of hardwood plywood shall establish his maximum price in accordance with the provisions of the General Maximum Price Regulation.

Within 45 days from June 6, 1945, all sellers other than manufacturers of hardwood plywood who now make, or heretofore have made, sales of hardwood plywood on direct-mill shipments, shall submit to the Lumber Branch of the Office of Price Administration, Washington 25, D. C., the following information:

(1) True copies of invoices on all direct-mill shipments of hardwood plywood which were made by such seller as follows:

(i) During the months of October 1941, March 1942, and June, July and August, 1942; except that the submission of invoices for June, July, and August 1942 need not include invoices covering specifications shipped on direct-mill shipments in March 1942.

(ii) During the first four months' period subsequent to March 1942 in which such seller started to make direct-mill shipments, if such seller did not make direct-mill shipments during the periods stated in (i) above.

(2) With each invoice referred to under subparagraphs (1) (i) and (1) (ii) above, such seller must also attach a true copy of the invoice covering the purchase by the seller of the particular hardwood plywood from the manufacturer of that plywood.

In submitting the copies of invoices referred to in subparagraphs (1) and (2) above, the seller must indicate in some manner, preferably by a blanket statement, that all copies of invoices are true copies.

6. In section 16, paragraph (b) is amended to read as follows:

(b) *Maximum prices for manufacturers.* The maximum prices for manufacturers f. o. b. mill per 1,000 surface feet for hardwood plywood manufactured to Spec. CS–35–42, 82–17, § B–1b or JAN–P–66 § B–1b shall be as follows:

7. In section 16 (b), Table 4, subdivision F, the following construction specifications, together with their respective price differentials applicable for zones 1, 2, and 3, are deleted:

For cores edge-glued from pieces under 3½" wide, and only when so specified by the buyer, add

For cores to be made of a single definitely specified species not at option of seller, add.

8. In section 16 (b) the headings which indicate the titles of Tables 6 and 7 are amended to read as follows:

TABLE 6—HARDWOOD PANELS
TABLE 7—HARDWOOD PANELS

9. In section 16 (b) the note entitled, "Note 1," under Table 7, is deleted.

This amendment shall become effective June 6, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–9524; Filed, June 1, 1945; 12:03 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 1]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respects:

1. A new § 1394.8350 is added to read as follows:

§ 1394.8350 *Invalidation of Non-Highway Gasoline Purchase Receipts.* (a) Notwithstanding any other provision of this order, on and after June 1, 1945, no dealer or distributor shall transfer gasoline to a consumer and no consumer shall accept a transfer of gasoline in exchange for any Non-Highway Gasoline Purchase Receipt (Form OPA R–582).

(b) Immediately upon the close of business on June 30, 1945, each dealer who has in his possession or control Non-Highway Gasoline Purchase Receipts (Form OPA R–582), which he acquired before July 1, 1945, in exchange for lawful transfers of gasoline, shall summarize the Non-Highway Gasoline Purchase Receipts (Form OPA R–582) on a summary form (Form OPA R–541) on which no other ration evidences are listed and attach such receipts to such summary form. On or before July 10, 1945, each dealer shall surrender such ration evidences and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having jurisdiction over the area in which the place of business is located in exchange for one or more ration checks equal in gallonage value to the ration evidences so surrendered.

(c) After July 10, 1945, no distributor shall accept from any dealer or distributor any Non-Highway Gasoline Purchase Receipt (Form OPA R–582), nor shall any distributor make any transfers of gasoline in exchange for such ration evidences. On or before July 20, 1945, each distributor shall deposit in appropriate bank accounts maintained by him any such ration evidences received by him in exchange for any lawful transfers of gasoline made on or before July 10, 1945.

(d) Notwithstanding any other provisions of this order, a renewal of a ration which was issued in the form of a Non-Highway Purchase Receipt Book (Form OPA R–582) may be made at any time. At the time the ration holder applies for a renewal of the ration he must surrender to the Board the Non-Highway Purchase Receipt Book along with all unused and voided Receipts whether attached to the stubs or not.

This amendment shall become effective June 5, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; W. P. B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, 8 F.R. 9492, 9868, 9 F.R. 8775, 12338, 13039; E.O. 9125, 7 F.R. 2719)

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–9523; Filed, June 1, 1945; 12:03 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 10,[1] Amdt. 2]

FOOD RATIONING REGULATIONS FOR VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 10 is amended in the following respects:

1. Table I in § 1407.687 is amended to read as follows:

[1] 10 F.R. 6030.

TABLE I

Ration period	Red stamp valid during period (Book No. 2)	Weight value of stamp (pounds of rice)
May 27 to June 2, 1945	Stamp No. C-1	1
June 3 to June 9, 1945	Stamp No. C-2	1
June 10 to June 16, 1945	Stamp No. C-5	1
June 17 to June 23, 1945	Stamp No. C-8	1
June 24 to June 30, 1945	Stamp No. D-1	1
July 1 to July 7, 1945	Stamp No. D-2	1
July 8 to July 14, 1945	Stamp No. D-5	1
July 15 to July 21, 1945	Stamp No. D-8	1

This amendment shall become effective June 1, 1945.

Issued this 1st day of June 1945.

JACOB A. ROBLES,
Territorial Director, Virgin Islands.

Approved:

JAMES P. DAVIS,
Regional Administrator, Region IX.

[F. R. Doc. 45-9520; Filed, June 1, 1945; 12:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 60 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 26) (OPA Form R-1313) which is made a part hereof.[2]

This amendment shall become effective 12:01 a. m. June 3, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9469; Filed, May 31, 1945; 5:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[3] Amdt. 44 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (OPA Form R-1313) No. 26 and in the Official Table of Consumer Point Values for Kosher Meats (OPA Form R-1611) No. 26 which are made a part hereof.[2]

This amendment shall become effective 12:01 a. m. June 3, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9470; Filed, May 31, 1945; 5:03 p. m.]

PART 1413—SOFT WOOD LUMBER PRODUCTS

[RMPR 293, Amdt. 7]

STOCK MILLWORK

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 5 is amended to read as follows:

SEC. 5. *Items not specifically priced*—(a) *What this section covers.* This section applies to any item covered by this regulation for which a specific maximum price is not fixed under the provisions of section 3 or section 4.

(b) *Pricing formula*—(1) *When this paragraph shall be used.* The pricing formula set forth in this paragraph (b) shall be used to price a new item where the manufacturer of the item being priced produces a "comparable item" for which a maximum price has already been established under this regulation. A "comparable item" for the purpose of this section means an item which meets all of the following conditions:

(i) It belongs to the narrowest trade category which includes the item being priced.

(ii) Its current unit direct costs vary from the current unit direct costs of the item being priced by not more than 25 percent.

(iii) It is currently being produced by the manufacturer.

(iv) If more than one "comparable" item meets all of the above conditions, the manufacturer must use the one whose current unit direct costs are nearest to the current unit direct costs of the item being priced.

(2) *Definition of "current unit direct costs".* "Current unit direct costs" for the purpose of this section means the sum of current unit direct labor and labor burden costs and current unit direct material costs including lumber kiln drying and handling cost, computed on a consistent basis for both the item being priced and the comparable item.

(3) *Maximum prices.* The maximum price to a particular class of purchaser for a commodity priced under this Section shall be determined in accordance with the following formula:

(i) Ascertain the maximum price to that class of purchaser of a comparable item,

(ii) Divide Item 1 by the current unit direct costs of such comparable item,

(iii) Multiply the result by the current unit direct costs of the item being priced,

(iv) The resulting amount is the maximum price of the item being priced to that particular class of purchaser.

(4) *Reports and approvals of maximum prices.* Before offering for sale or delivery an item for which maximum prices are determined under this paragraph (b), the manufacturer must file a report with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., setting forth the following information:

(i) A complete description of the item being priced and of the comparable item for which a maximum price has already been established.

(ii) The proposed maximum price for the item being priced, and the established maximum price for the comparable item.

(iii) A breakdown of the current unit direct costs as defined in this paragraph, for the item being priced and for the comparable item.

A proposed maximum price under this paragraph (b) shall be deemed to be approved automatically on the expiration of 20 days after the mailing of the report (or on the expiration of 20 days after the mailing of all additional information which may have been requested), unless within that time the Office of Price Administration notifies the manufacturer that his proposed maximum price has not been approved or that action thereon has been deferred pending receipt of further information.

The Office of Price Administration may approve or disapprove and may at any time after approval adjust maximum prices proposed or established under this paragraph so as to make them consistent with the level of maximum prices otherwise established by this regulation.

(c) *Items which cannot be priced under paragraph (b).* If an item covered by this section cannot be priced under paragraph (b) above, the maximum price shall be a price approved by the Office of Price Administration, consistent with the level of maximum prices established by this regulation. A maximum price will generally be approved under this paragraph (c) by adding to the current direct unit costs of the item being priced the average percentage margin over direct costs realized by the manufacturer on all of his sales of items covered by this regulation during his most recent accounting period. In each case covered by this paragraph (c), the manufacturer must file a report with the Office of Price Administration, Building Materials Price Branch, Washington 25, D. C., giving the following information, before offering the item for sale:

(i) A description of the item being priced.

(ii) Reasons why the pricing provisions under paragraph (b) are not applicable.

(iii) His proposed maximum price.

(iv) A statement of the method of computation of the proposed price and

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[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278, 9896, 10264, 10877, 10876, 11273, 11513, 11906, 11961, 12813, 12867, 14061, 14643, 15002, 15054; 10 F.R. 48, 776, 924.

[2] Filed as part of the original document.

[3] 9 F.R. 11906, 11955, 11961, 12814, 12867, 14287, 14645, 15056; 10 F.R. 48, 521, 857, 293, 294.

of the reasons why he believes it consistent with the level of prices fixed by this regulation.

(v) A breakdown of his current unit costs of direct materials and direct labor for the item being priced, and his average percentage mark-up over direct costs realized by him on all his sales of items covered by this Regulation during his most recent accounting period, supported by profit and loss statement for such period.

The Office of Price Administration may approve or disapprove and may at any time after approval adjust maximum prices proposed or established under this paragraph so as to make them consistent with the level of prices fixed by this regulation.

This amendment shall become effective June 6, 1945.

NOTE: The reporting requirement of this amendment has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9522; Filed, June 1, 1945; 12:02 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 109]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 15, Appendix J is amended in the following respects:

1. In paragraph (d), Table 2 is amended to read as follows:

TABLE 2—MAXIMUM PRICES FOR APRICOTS

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5		Col. 6		Col. 7
				Maximum prices for fruit loaded in car or truck at shipping points		Maximum prices for sales delivered to any wholesale receiving point in any quantity		Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, government procurement agency or institutional buyer.[4]
Item No.	Type, variety, style of pack, etc.	Unit	Season	5 (a) Produced in Zone I or II and destined for sale within the zone of production [1]	5 (b) Produced in Zone I or II and destined for sale outside the zone of production [1]	6 (a) Produced in Zone I or II for sale within the zone of production.[1]	6 (b) Produced in Zone I or II for sale outside the zone of production; and in Zone III for sale in any zone.[1]	
	Apricots graded and packed in the following containers:							
1	Northwest lugs (WPB L-232 No. 29) with a net weight of not less than 13 pounds nor more than 15 pounds.	Per lug.	Beginning-June 15	$1.26	$1.54	Column 5 (a) price plus freight (including 3% transportation tax) from Sacramento, California, for apricots produced in Zone I; and from Yakima, Washington, for apricots produced in Zone II. (No amount may be added for protective service allowance.)	Column 5 (b) price plus freight (including 3% transportation tax) from Sacramento, California, for apricots produced in Zone I; and from Yakima, Washington, for apricots produced in Zone II or III; and plus protective service allowances.[3]	Column 6 price plus 43 cents.
2			June 16-June 24	1.06	1.54			
3			June 25-end of season	1.06	1.34			
4	Brentwood lugs (WPB L-232 No. 4) with a net weight of not less than 24 pounds nor more than 26 pounds.	Per lug.	Beginning-June 15	2.25	2.75			Column 6 price plus 75 cents.
5			June 16-June 24	1.90	2.75			
6			June 25-end of season	1.90	2.40			
7	Any of the above containers but with a net weight of less than or more than that specified for each container, and in any other container.[2]	Per lb.	Beginning-June 15	*Cents* 9.0	*Cents* 11.0			Column 6 price plus 3 cents.
8			June 16-June 24	7.6	11.0			
9			June 25-end of season	7.6	9.6			
10	Apricots ungraded (orchard run) in any container.[2]	Per lb.	Beginning-June 15	*Cents* 7.5		Column 5 price plus freight (including 3% transportation tax) from Sacramento, California, for apricots produced in Zone I; and from Yakima, Washington, for apricots produced in Zone II or III. (No amount may be added for protective service allowance.)		Column 6 price plus 3 cents.
11			June 16-end of season	6.1				

[1] Zone I—State of California, Zone II—States of Oregon and Washington, Zone III—All other states.

[2] The maximum price for apricots sold in bulk (loose without containers) shall be 1 cent per pound less than the appropriate prices per pound listed for Items 10 and 11 in Columns 5, 6 and 7.

[3] Protective service allowances shall be added in accordance with the following schedule for apricots priced by Column 6 (b):

Wholesale Receiving Points	Items 1, 2 and 3 per lug	Items 4, 5 and 6 per lug	Items 7, 8 and 9 per pound
1. In all states east of the Mississippi River, except in Wisconsin and Illinois	$0.09	$0.13	$0.006
2. In all other states, except California, Oregon and Washington	0.07	0.10	0.004
3. In California, Oregon and Washington	0.03	0.04	0.002

[4] For sellers covered by Column 7, see general provisions of this Appendix.

2. In paragraph (d), Table 2a is deleted.

3. In paragraph (e) Examples 1–6 are deleted.

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[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897, 10192, 10192, 10499, 10877, 10777, 10878, 11350, 11534, 11546, 12038, 12208, 12340, 12341, 12263, 12412, 12537, 12643, 12968, 12973, 13067, 13138, 13205, 13761, 13934, 14062, 13995, 14437, 14731, 15107, 15107, 10 F.R. 49, 256, 460, 923, 1540, 1403, 1456, 1910, 2024, 2026, 2145, 2160, 2188, 2245, 2515, 2521, 2965, 3054, 4156, 4266, 4665, 4718, 4817, 5045, 5101, 5458.

4. In paragraph (e), Table A, Items 2 and 3 are amended to read as follows:

TABLE A—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN PRIMARY SELLERS AND THEIR AGENTS TO BE ADDED TO MAXIMUM DELIVERED PRICES

[See column 6 of tables in paragraph (d)]

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
			Sales by growers				Sales by a grower-distributor, buyer-distributor and by a grower or any person through a grower's sales agent				
Item No.	Commodity	Unit	Through a broker in any quantity or through a commission merchant in carlots or truck-lots [1] [2]	Through a commission merchant in less-than-carlots or less-than-trucklots [3]		Through an auction in less-than-carlots or less-than-trucklots [3]	Direct sale (without the use of broker or any other agent) [1] [2]	Through a broker or salaried representative, or through a commission merchant in carlots or truck-lots [1] [2]	Through an auction in less-than-carlots or less-than-trucklots [3]	Through a commission merchant in less-than-carlots or less-than-trucklots [3]	
				Ex-dock, car, truck or terminal sales platform	Ex-store or warehouse					Ex-dock, car, truck or terminal sales platform	Ex-store or warehouse
*	*	*	*	*	*	*	*	*	*	*	*
2	Apricots	Items 1–11, table 2:									
		Northwest lug 13–15 pounds	$0.02	$0.09	$0.19	$0.06	$0.06	$0.08	$0.12	$0.15	$0.25.
		Brentwood lug 24–26 pounds	$0.03	$0.16	$0.35	$0.10	$0.09	$0.12	$0.19	$0.25	$0.44.
		Above containers with a net weight of less than or more than that specified for each container, and apricots packed in any other container, and those sold ungraded (orchard run) in any container, or in bulk—per pound.	⅛ cent	9/10 cent	1 9/10 cents.	3/10 cent	3/10 cent	½ cent	8/10 cent	1 cent	1 9/10 cents.
3	Plums	Items 1–11, table 3:									
		Standard 4-basket crate with a net weight of 23–33 pounds.	$0.03	$0.17	$0.39	$0.10	$0.09	$0.12	$0.19	$0.26	$0.48.
		Standard 4-basket crate with a net weight of less than 23 pounds or more than 33 pounds, and plums packed in any other container, and those sold ungraded in any container, or in bulk—per pound.	1/10 cent	9/10 cent	1 9/10 cents.	4/10 cent	3/10 cent	4/10 cent	7/10 cent	9/10 cent	1 7/10 cents.
*	*	*	*	*	*	*	*	*	*	*	*

[1] Maximum markups listed above in columns 4, 8, and 9 may be added to the maximum prices for fruit loaded on car or truck at shipping point (column 5 of applicable table in paragraph (e)) for sales made by agents of growers and primary sellers, other than growers, f. o. b. shipping point.

[2] For purposes of computing the maximum price, the amounts set forth in columns 4, 8, and 9 shall be used, but the maximum charge that may be made by any selling agent shall be determined under MPR 165, as amended, as between such selling agent and his principal.

[3] The actual charge not to exceed the maximum allowable charge under MPR 165 shall be used instead of the markup listed in columns 5, 6, 7, 10, 11, and 12 if the amount of such actual charge is lower than the amount shown.

5. In paragraph (e), Table B, Items 2 and 3 are amended to read as follows:

TABLE B—MAXIMUM MARKUPS FOR DISTRIBUTIVE SERVICES PERFORMED BY CERTAIN SELLERS OTHER THAN PRIMARY SELLERS AND THEIR AGENTS TO BE ADDED TO MAXIMUM DELIVERED PRICES

[See column 6 of tables in paragraph (d)]

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9
			Sales by any person other than a grower or grower-distributor or buyer-distributor who has purchased a carlot or truck-lot and resells such carlot or truckloit unbroken	Sales by primary receivers in less-than-carlots or less than trucklots		Sales by secondary jobbers in any quantity delivered to premises of the purchaser [1]	Sales by service wholesalers delivered to premises of any retail store, government procurement agency or institutional buyer within the free delivery zone	
Item No.	Commodity	Unit		Through an auction [1] or ex-car, dock, truck or terminal sales platform	Ex-store or ex-warehouse		Original container and quantities in excess of half of original container	Half original container or less
*	*	*	*	*	*	*	*	*
2	Apricots	Items 1–11, table 2:						
		Northwest lug 13–15 pounds	$0.13	$0.17	$0.27	$0.43	$0.43	
		Brentwood lug 24–26 pounds	$0.21	$0.28	$0.47	$0.75	$0.75	
		Above containers with a net weight of less than or more than that specified for each container, and those sold ungraded (orchard run) in any container, or in bulk—per pound.	⅞ cent	1 1/10 cents.	1 9/10 cents.	3 cents	3 cents	3 cents.
3	Plums	Items 1–11, Table 3:						
		Standard 4-basket crate with a net weight of 23–33 pounds	$0.22	$0.29	$0.51	$0.82	$0.82	
		Standard 4-basket crate with a net weight of less than 23 pounds or more than 33 pounds, and plums packed in any other container, and those sold ungraded in any container, or in bulk—per pound.	5/10 cent	1 cent	1 9/10 cents.	2 9/10 cents.	2 9/10 cents.	2 9/10 cents.
*	*	*	*	*	*	*	*	*

[1] This markup applies not only to sales by primary receivers through auction but also to sales by all persons, other than primary sellers, through terminal auctions (see paragraph (g) (3)).

6. In paragraph (f) (2) (iii), the sub-paragraph headed "Example" is deleted.

7. Paragraph (i) is deleted.

This amendment shall become effective at 12:01 a. m., June 1, 1945, except as to apricots shipped from shipping point and actually sold before that date.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

Approved May 29, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I find that the ceiling prices established by that amendment and the ceiling prices maintained for plums by Maximum Price Regulation 426 are necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-9466; Filed, May 31, 1945; 5:02 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426[1], Amdt. 110]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Maximum Price Regulation No. 426 is amended in the following respects:

1. Section 13a is added to read as follows:

SEC. 13a. *Adjustments required by section 3(g) of the Emergency Price Control Act.* The maximum prices established by this regulation may be adjusted by the Administrator, subject to the approval of the Secretary of Agriculture, at any time to make appropriate allowances for substantial reductions in merchantable crop yields, unusual increases in costs of production, and other factors which result from hazards occurring in connection with the production and marketing of commodities covered by this regulation. The adjustment, in each case, will be made by order issued by the Administrator, subject to the approval of the Secretary of Agriculture.

2. Section 15, Appendix H, paragraph (b), Table 7, Maximum Prices for Cucumbers is amended in the following respects:

a. Footnote reference 6 is deleted from Items 2, 6 and 10 and added to Items 15 and 16 in Column 5.

b. Footnote 6 is amended to read as follows:

[6] The Column 5 price for hothouse cucumbers in any container shall be 12.8 cents per pound during June 1945.

This amendment shall become effective at 12:01 a. m. June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

Approved: May 30, 1945.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 45-9467; Filed, May 31, 1945; 5:02 p. m.]

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[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897, 10192, 10192, 10499, 10877, 10777, 10878, 11350, 11534, 11546, 12038, 12208, 12340, 12341, 12263, 12412, 12537, 12643, 12968, 12973, 13067, 13138, 13205, 13761, 13934, 14062, 13995, 14437, 14731, 15107; 10 F.R. 49, 256, 460, 923, 1540, 1403, 1456, 1910, 2024, 2026, 2145, 2160, 2188, 2245, 2515, 2521, 2965, 3054, 4156, 4266, 4665, 4718, 4817, 5045, 5101, 5458, 5721, 5797, 5955, 6037, 6107.

Chapter XXIII—Surplus Property Board

[SPB Reg. 7]

PART 8307—PREFERENCES FOR VETERANS

Sec.
8307.1 Definitions.
8307.2 Limitation of application; property excepted.
8307.3 Veteran's application for property useful in business or professional enterprises.
8307.4 Purchase by Smaller War Plants Corporation of property useful in business or professional enterprises.
8307.5 Veteran's application for property useful in agricultural enterprises.
8307.6 Certification by War Food Administrator to Smaller War Plants Corporation.
8307.7 Purchase by Smaller War Plants Corporation of property useful in agricultural enterprises.
8307.8 Pricing.
8307.9 Consignments directly to veterans by disposal agencies.
8307.10 Limit on purchases for resale to veterans.
8307.11 Consolidation of orders.
8307.12 Amendment or repeal.

AUTHORITY: §§ 8307.1 to 8307.12, inclusive, issued under Surplus Property Act of 1944, Public Law 457, 78th Cong., 2d Sess.; 58 Stat. 765.

§ 8307.1 *Definitions.* (a) "Disposal agency" means any Government agency designated pursuant to the Surplus Property Act of 1944 to dispose of one or more classes of surplus property.

(b) "His own small business or professional enterprise" shall include any commercial, industrial, manufacturing, financial, service, legal, medical, dental, or other lawful enterprise (other than agricultural) having an invested capital not in excess of $50,000, which a veteran maintains or desires to establish: *Provided*, That he is or will be, directly or indirectly, the sole proprietor thereof or that no person or persons, other than other veterans, have or will have any proprietary interest in the enterprise, singly or together, directly or indirectly, in excess of 50% of either the capital invested in such enterprise or of the gross profits or income thereof.

(c) "His own small agricultural enterprise" shall include any farming, fisheries, forestry, grazing, fruit-growing, livestock or poultry raising or other lawful enterprise (other than a business or professional enterprise) having an invested capital not in excess of $25,000, which a veteran maintains or desires to establish: *Provided*, That he is, or will be, directly or indirectly, the sole proprietor thereof or that no person or persons, other than other veterans, have or will have any proprietary interest in the enterprise, singly or together, directly or indirectly, in excess of 50% of either the capital invested in such enterprise or of the gross profits or income thereof.

(d) "Surplus property" means any property which has been determined to be surplus to the needs and responsibilities of the owning agency in accordance with the Surplus Property Act of 1944.

(e) "Veteran" means any person who served in the active military or naval service of the United States during the present war, or any person who served in the active military or naval service of the United States on or after September 16, 1940, and prior to the termination of the present war, and who has been discharged or released therefrom under honorable conditions.

§ 8307.2 *Limitation of application; property excepted.* This part shall apply only to property within the United States, its territories or possessions. It shall not apply to real property, nor to aircraft and parts peculiar to aircraft or any classes of property designated in section 19 of the Surplus Property Act of 1944. Whenever reference is made in this part to property useful to establish or maintain a small business, professional or agricultural enterprise, such property shall not include any property to be resold, with or without reprocessing or refabrication, in the regular course of business of such enterprise.

§ 8307.3 *Veteran's application for property useful in business or professional enterprises.* Any veteran desiring to exercise the preference hereby granted in the purchase of surplus property useful to establish or maintain his own small business or professional enterprise shall file an application for such property with the district office of the Smaller War Plants Corporation for the locality within which he maintains or intends to establish such enterprise.

§ 8307.4 *Purchase by Smaller War Plants Corporation of property useful in business or professional enterprises.* The Smaller War Plants Corporation will exercise its priority right in the manner and to the extent provided in Part 8302[1] and any amendments thereof, to purchase from the appropriate disposal agency for resale to the veteran such property as he may apply for which in its judgment is required to preserve or strengthen the competitive position of small enterprise. In forming such judgment the Smaller War Plants Corporation will take into account whether the property will be useful in and will aid the veteran to establish or maintain his own small enterprise and whether business conditions and other economic fac-

[1] SPB Reg. 2 (10 F.R. 5104).

tors affecting the locality within which the veteran maintains or desires to establish such enterprise render the success thereof reasonably probable. Smaller War Plants Corporation will report to the Surplus Property Board all instances in which the veteran's application is rejected in whole or in part and the reasons for such rejection.

§ 8307.5 *Veteran's application for property useful in agricultural enterprises.* Any veteran desiring to exercise the preference hereby granted in the purchase of surplus property useful to establish or maintain his own small agricultural enterprise shall file with the War Food Administrator an application therefor.

§ 8307.6 *Certification by War Food Administrator to Smaller War Plants Corporation.* The War Food Administrator will certify to the Smaller War Plants Corporation for purchase by it for resale to the veteran such property as the veteran may apply for as in the judgment of the War Food Administrator will foster and render more secure family-type farming. In forming such judgment the War Food Administrator will take into account whether the property will be useful in and will aid the veteran to establish or maintain his own small agricultural enterprise and whether farming conditions and other economic and geographic factors affecting the locality within which the veteran maintains or desires to establish such enterprise render the success thereof reasonably probable.

§ 8307.7 *Purchase by Smaller War Plants Corporation of property useful in agricultural enterprises.* Upon the receipt of a certification hereunder from the War Food Administrator, the Smaller War Plants Corporation will exercise its priority in the manner and to the extent provided in Part 8302[2] and any amendments thereof to purchase from the appropriate disposal agency for resale to the veteran the property so certified.

§ 8307.8 *Pricing.* In selling surplus property to the Smaller War Plants Corporation for resale to a veteran hereunder, disposal agencies shall comply with applicable regulations of the Office of Price Administration, but in no case shall charge a price which is greater than the cost of acquisition thereof to the Government, less appropriate allowances for depreciation, obsolescence, wear and tear, and such other factors as may relate to the condition or utility of the property. The Smaller War Plants Corporation will charge the veteran no greater price than the price charged by the disposal agency: *Provided, however,* That the Smaller War Plants Corporation may increase such price by the actual cost of delivering the property to the veteran if such cost is not included in the disposal agency's price.

§ 8307.9 *Consignments directly to veterans by disposal agencies.* Upon the request of the Smaller War Plants Corporation, disposal agencies shall forward directly to the veteran property purchased hereunder for resale to him.

§ 8307.10 *Limit on purchases for resale to veterans.* The Smaller War Plants Corporation shall not purchase for resale to any one veteran hereunder surplus property in excess of $2500 as determined by the disposal agencies' sales prices.

§ 8307.11 *Consolidation of orders.* To the extent feasible, the Smaller War Plants Corporation shall consolidate its orders hereunder for like items of property and shall submit to the disposal agencies consolidated orders for the largest quantity of like items that the circumstances permit.

§ 8307.12 *Amendment or repeal.* This part shall be subject to amendment or repeal by the Surplus Property Board by any regulation or order of the Board duly published in the FEDERAL REGISTER.

This part shall become effective July 1, 1945.

NOTE: All reporting requirements of this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

SURPLUS PROPERTY BOARD,
By A. E. HOWSE,
Administrator.

MAY 29, 1945.

[F. R. Doc. 45-9477; Filed, June 1, 1945; 10:34 a. m.]

[2] SPB Reg. 2 (10 F.R. 5104).

TITLE 37—PATENTS AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

[Order 366]

PART 3—LICENSES TO FILE APPLICATIONS FOR PATENTS IN FOREIGN COUNTRIES

OPTIONAL PROCEDURE

A new section is added reading as follows:

§ 3.16 *Optional procedure.* When a proposed foreign application is substantially identical with one or more applications filed in the United States Patent Office, the petition for license to file the application and any amendments thereto in certain foreign countries designated by the Commissioner of Patents may be made on Form O–1. Such petition will not be accompanied by the material specified in §§ 3.4, 3.9 and 3.10. The license need not be presented at the post office but the licensed material may be mailed or forwarded at option of licensee. The Commissioner of Patents will designate the foreign countries to which this optional procedure will apply by notice in the Official Gazette.

(Pub. Law 239, 77th Cong., approved Aug. 21, 1941, 55 Stat. 657, 35 U.S.C. 42a)

[SEAL] CONWAY P. COE,
Commissioner of Patents.

Approved: May 31, 1945.

H. A. WALLACE,
Secretary of Commerce.

[F. R. Doc. 45-9505; Filed, June 1, 1945; 11:31 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 8—RULES GOVERNING SHIP SERVICES

ALLOCATION FOR SHIP-SHORE AND INTERSHIP COMMUNICATION

The Commission on May 29, 1945, effective immediately, adopted new paragraph (g) of § 8.81 *Allocation for ship stations,* which reads:

(g) To ship telephone stations for communication with coastal harbor stations and with other ship stations:

37,580 kilocycles.

(Sec. 4 (i), 48 Stat. 1068; Sec. 303 (c), 48 Stat. 1082; 47 U.S.C. 154 (8), 303 (c))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-9504; Filed, June 1, 1945; 11:38 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 26—EAST CENTRAL REGION NATIONAL WILDLIFE REFUGES

NECEDAH NATIONAL WILDLIFE REFUGE, WIS.; HUNTING OF DEER

Under authority of section 84 of the act of March 4, 1909 (35 Stat. 1104; 18 U.S.C. 145), as amended, and § 12.9 of the regulations for the Administration of National Wildlife Refuges dated December 19, 1940 (5 F.R. 5284), as amended, the following is hereby ordered:

§ 26.678b *Necedah National Wildlife Refuge, Wisconsin; hunting of deer.* Deer may be taken, with bow and arrow only, during the open season prescribed by the State Conservation Department for the bow hunting of deer, on all of the lands of the Necedah National Wildlife Refuge, Wisconsin, except the following:

W½, sec. 3; secs. 4, 5, 6, 8, 9, 10, and 15; T. 18 N., R. 3 E; secs. 25 and 36; T. 19 N., R. 2 E; all of secs. 27, 28, 29 and 34 lying south and west of the road locally referred to as the "Speedway", all of secs. 30, 31, 32, and 33; T. 19 N., R. 3 E.

Entry on and use of the refuge for any purpose is covered by the regulations for the Administration of National Wildlife Refuges dated December 19, 1940 (5 F.R. 5284), as amended, and strict compliance therewith is required. Hunters must follow such routes of travel within the refuge as are designated by posting. In addition all hunters must comply with State hunting laws and regulations and must have on their person and exhibit at the request of any authorized Federal or State officer whatever license or licenses as may be required by such laws and regulations.

Dated: May 28, 1945.

ALBERT M. DAY,
Acting Director.

[F. R. Doc. 45-9476; Filed, June 1, 1945; 9:40 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Air-Navigation Site Withdrawal 2, Revocation]

UTAH

AIR-NAVIGATION SITE WITHDRAWAL REVOKED

The order of the Acting Secretary of the Interior of July 18, 1928, withdrawing the following-described land in Utah as Air-Navigation Site Withdrawal No. 2, for use as an intermediate airport or landing field in the maintenance of air-navigation facilities on the Los Angeles-Salt Lake Airways, and the order of the First Assistant Secretary of March 16, 1931, continuing the withdrawal and making the lands subject to the use of the Department of Commerce, are hereby revoked;

SALT LAKE MERIDIAN

T. 27 S., R. 10 W.,
Sec. 31, N½ (lots 1 and 2, NE¼, and E½ NW¼).

The area described contins 319.61 acres.

OSCAR CHAPMAN,
Assistant Secretary of the Interior.

MAY 21, 1945.

[F. R. Doc. 45-9457; Filed, May 31, 1945; 4:29 p. m.]

[Misc. 1994112]

CALIFORNIA

ORDER PROVIDING FOR OPENING OF PUBLIC LAND

MAY 24, 1945.

Restoration Order No. 1189 under Federal Power Act.

By Executive order of April 19, 1912, the NE¼SE¼ sec. 18, T. 6 N., R. 14 E., M. D. M., California, containing 40 acres, was reserved for power purposes and included in Power Site Reserve No. 261. On September 5, 1929, the land was also reserved from entry for Power Project No. 593.

The Federal Power Commission has determined (DA-632, California) that the value of the above-described land will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act.

Pursuant to the determination of the Federal Power Commission and in accordance with Departmental Order No. 1799 of March 19, 1943, 8 F.R. 3743, the above-described land is hereby declared open to disposition under the public land laws as hereinafter provided, and all applications therefor will be subject to the following reservation:

Made in accordance with and subject to the provisions and reservations of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by the act of August 26, 1935 (49 Stat. 838, 846; 16 U.S.C. sec. 818).

This order shall not become effective to change the status of this land until 10:00 a. m. on the 63d day from the date on which it is signed. At that time the land shall, subject to valid existing rights, the provisions of existing withdrawals, and the provisions and reservations of Section 24 of the Federal Power Act as above stated, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public land affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the land becomes subject to application, as hereinabove provided, any of the land remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for this land, which shall be filed in the District Land Office at Sacramento, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-9458; Filed, May 31, 1945; 4:30 p. m.]

[Misc. 2020219]

CALIFORNIA

ORDER PROVIDING FOR OPENING OF PUBLIC LAND

MAY 24, 1945.

Restoration Order No. 1185 under Federal Power Act.

By Executive order of May 27, 1913, the S½N½ sec. 20, T. 31 N., R. 1 W., M. D. M., California, containing 160 acres, was reserved for power purposes and included in Power Site Reserve No. 364.

The Federal Power Commission has determined (DA-629, California) that the value of the above-described land will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act.

Pursuant to the determination of the Federal Power Commission and in accordance with Departmental Order No. 1799 of March 19, 1943, 8 F.R. 3743, the above-described land is hereby declared open to disposition under the public land laws as hereinafter provided, and all applications therefor will be subject to the following reservation:

Made in accordance with, and subject to the provisions and reservations of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by the act of August 26, 1935 (49 Stat. 838, 846; 16 U. S. C. sec. 818).

This order shall not become effective to change the status of this land until 10:00 a. m. on the 63d day from the date on which it is signed. At that time the land shall, subject to valid existing rights, the provisions of existing withdrawals, and the provisions and reservations of Section 24 of the Federal Power Act as above stated, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public land affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such vet-

erans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the land becomes subject to application, as hereinabove provided, any of the land remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for this land, which shall be filed in the District Land Office at Sacramento, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-9461; Filed, May 31, 1945; 4:30 p. m.]

[Misc. 2020318]

COLORADO

ORDER PROVIDING FOR OPENING OF PUBLIC LAND

MAY 24, 1945.

Restoration Order No. 1184 under Federal Power Act.

By Executive order of July 2, 1910, the SW¼NW¼ sec. 34, T. 3 S., R. 72 W., 6th P. M., Colorado, containing 40 acres, was reserved for power purposes and included in Power Site Reserve No. 81.

The Federal Power Commission has determined (DA-246, Colorado) that the value of the above-described land will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act.

Pursuant to the determination of the Federal Power Commission and in accordance with Departmental Order No. 1799 of March 19, 1943, 8 F.R. 3743, the above-described land is hereby declared open to disposition under the public land laws as hereinafter provided, and all applications therefor will be subject to the following reservation:

Made in accordance with and subject to the provisions and reservations of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by the act of August 26, 1935 (49 Stat. 838, 846; 16 U.S.C. sec 818).

This order shall not become effective to change the status of this land until 10:00 a. m. on the 63d day from the date on which it is signed. At that time the land shall, subject to valid existing rights, the provisions of existing withdrawals, and the provisions and reservations of section 24 of the Federal Power Act as above stated, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public land affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the land becomes subject to application, as hereinabove provided, any of the land remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for this land, which shall be filed in the District Land Office at Denver, Colorado, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-9462; Filed, May 31, 1945; 4:30 p. m.]

[Misc. 2021166]

UTAH

ORDER PROVIDING FOR OPENING OF PUBLIC LAND

MAY 26, 1945.

Restoring Order No. 1186 under Federal Power Act.

On April 24, 1936, the SE¼NE¼ sec. 33, T. 3 S., R. 6 W., S. L. M., Utah, was reserved for power purposes and included in Power Project No. 1373.

The Federal Power Commission has determined (DA-64, Utah) that the value of the above-described land will not be injured or destroyed for the purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act and subject to a reservation to the United States, its successors and assigns, of the prior right to use any and all of the land occupied by the pipe line right-of-way location, being a portion of a strip of land 100 feet in width as shown and more accurately described on a map made a part of the license for Project No. 1373, designated as "Exhibits K & L" and entitled "Detail Map of South Willow Creek Project of Utah Power & Light Company, Showing Location of Dam, Power House, Center Line of Pipe Line and General Design Drawings," and filed in the office of the Federal Power Commission on April 24, 1936.

Pursuant to the determination of the Federal Power Commission and in accordance with Departmental Order No. 1799 of March 19, 1943, 8 F.R. 3743, the above-described land is hereby declared open to disposition under the public land laws as hereinafter provided, and all applications therefor will be subject to the following reservation:

Made in accordance with and subject to the provisions and reservations of Section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by the act of August 26, 1935 (49 Stat. 838, 846; 16 U.S.C. sec. 818), and subject to the prior right of the United States, its successors and assigns, to use any and all of the land occupied by

the pipe line right-of-way location, being a portion of a strip of land 100 feet in width as shown on a map designated as "Exhibits K & L", filed April 24, 1936, as part of the license for Project No. 1373 of the Utah Light & Power Company.

This order shall become effective immediately as to the administration of the land by the Grazing Service, but shall not otherwise become effective to change its status until 10:00 a. m. on the 63d day from the date on which it is signed. At that time the land shall, subject to valid existing rights, the provisions of existing withdrawals, and the provisions and reservations of section 24 of the Federal Power Act as above stated, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public land affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the land becomes subject to application, as hereinabove provided, any of the land remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for this land, which shall be filed in the District Land Office at Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L.D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-9459; Filed, May 31, 1945, 4:30 p. m.]

[Misc. 2027579]

WASHINGTON

ORDER PROVIDING FOR OPENING OF PUBLIC LAND

MAY 24, 1945.

Restoration Order No. 1190 under Federal Power Act.

By Executive order of May 28, 1912, the NE¼NE¼ sec. 8, T. 10 N., R. 3 E., W. M., Washington, was reserved for power purposes and included in Power Site Reserve No. 272.

The Federal Power Commission has determined (DA-94, Washington) that the value of the above-described land will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act.

Pursuant to the determination of the Federal Power Commission and in accordance with Departmental Order No. 1799 of March 19, 1943, 8 F.R. 3743, the above-described land is hereby declared open to disposition under the public land laws as hereinafter provided, and all applications therefor will be subject to the following reservation:

Made in accordance with and subject to the provisions and reservations of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by the act of August 26, 1935 (49 Stat. 838, 846; 16 U.S.C. sec. 818).

This order shall not become effective to change the status of this land until 10:00 a. m. on the 63d day from the date on which it is signed. At that time the land shall, subject to valid existing rights, the provisions of existing withdrawals, and the provisions and reservations of Section 24 of the Federal Power Act as above stated, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public land affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the land becomes subject to application, as hereinabove provided, any of the land remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for this land, which shall be filed in the District Land Office at Spokane, Washington, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 45-9460; Filed, May 31, 1945; 4:30 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-639]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

NOTICE OF APPLICATION

JUNE 1, 1945.

Notice is hereby given that on May 19, 1945, Kansas-Nebraska Natural Gas Company, Inc. (Applicant), a Kansas corporation having its principal place of business at Phillipsburg, Kansas, filed with the Federal Power Commission an

application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, for authority to construct and operate the following described facilities:

(a) Approximately 20 miles of 12¾-inch O. D. transmission pipe line to reinforce its present natural-gas pipe-line system in Phillips and Rooks Counties, Kansas;

(b) Two 1,000 H. P. compressor units and auxiliary equipment which are to be installed at Applicant's compressor station near Scott City, Kansas;

(c) A 250 H. P. compressor station now located at Elm Creek, Nebraska, which is to be removed and reconstructed at or near Holdrege, Nebraska.

Applicant asserts that the primary purpose of the new construction is to increase the amount of natural gas which Applicant will be able to deliver through its own lines into the area served by it east of Holdrege, Nebraska, and to shorten the distance which gas must be transported between Scott City, Kansas, and the areas served by Applicant by means of its lines from Plainville, Kansas, south; to enable Applicant to replace approximately 7 miles of existing 6⅝-inch pipe line requiring reconditioning between Phillipsburg and Stockton, Kansas; to enable Applicant to increase its operating pressures out of its Scott City compressor station to approximately 800 pounds; to enable Applicant to increase its operating pressures east of Holdrege, Nebraska; and to assure the maintenance of efficient natural-gas service for war, defense and essential civilian requirements in the areas in the States of Kansas and Nebraska served by Applicant.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 16th day of June, 1945, file with the Federal Power Commission, Washington 25, D. C., a petititon or protest in accordance with the provisional rules of practice and regulations under the Natural Gas Act.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-9516; Filed, June 1, 1945; 11:56 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 288, Special Permit 26]

REFRIGERATION OF SHELL EGGS FROM ATCHISON, KANS., AND DELANO, MINN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 288 of February 27, 1945 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 288 insofar as it applies to the furnishing or supplying of two refrigerator cars, for loading with 480 cases of shell eggs each, for shipment May 31, 1945, on Government bills of lading for account of the U. S. Army Q. M. Corps, one to be shipped by Wilson and Company from Atchison, Kansas, to Sales Officer, Army Air Force Ordinance, Kearn Field, Kearns, Utah (Mo. Pac.-D. & R. G. W.), and one to be shipped by Keplinger Produce Company, Delano, Minn., to Central Utah War Relocation Project, Delta, Utah (Gr. Nor.-C. St. P. M. & O.-Union Pacific).

The car order, other shipping papers and the waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of May 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-9503; Filed, June 1, 1945; 11:23 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4959]

MARIE BAMBERG

In re: Estate of Marie Bamberg, deceased; File D-28-8597; E.T. sec. 10236.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $9,525.73 in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, which amount was deposited on January 17, 1945, pursuant to an order of the Probate Court of Cook County, Illinois, entered January 11, 1945, in the matter of the estate of Marie Bamberg, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

William Nietfeld, Germany.

That such property is in the process of administration by the Treasurer of Cook County, Illinois, as Depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9478; Filed, June 1, 1945; 10:42 a. m.]

[Vesting Order 4960]

CARRIE E. BOLLERSLEV

In re: Estate of Carrie E. Bollerslev, deceased; File No. D-28-8513; E. T. sec. 10046.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of August Graf, Sr. in and to the estate of Carrie E. Bollerslev, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

August Graf, Sr., Germany.

That such property is in the process of administration by William Fritz, 819 North Porter, Saginaw, Michigan, as Executor of the estate of Carrie E. Bollerslev, deceased, acting under the judicial supervision of the Probate Court for the County of Saginaw, Saginaw, Michigan;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated,

sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–9479; Filed, June 1, 1945; 10:42 a. m.]

[Vesting Order 4961]

LOUIS KOELSCH

In re: Estate of Louis Koelsch, deceased; File No. D–6–922; E.T. sec. 5683.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mina Koelsch, the husband and children, names unknown, of Mina Koelsch, Elsie Plottner, the husband and children, names unknown, of Elsie Plottner, Lina Seifert, the husband and children, names unknown, of Lina Seifert, Thekla Fiedler, the husband and children, names unknown, of Thekla Fiedler, Edmond Koelsch, the wife and children, names unknown, of Edmond Koelsch, Eugene Koelsch, the wife and children, names unknown, of Eugene Koelsch, Maria Glahser, the husband and children, names unknown, of Maria Glahser, Katschen Kimmel, the husband and children, names unknown, of Katschen Kimmel, Elsie Kimmel, the husband and children, names unknown, of Elsie Kimmel, Pauline Weber, the husband and children, names unknown, of Pauline Weber, Elsie Muller, the husband and children, names unknown, of Elsie Muller, Louise May, the husband and children, names unknown, of Louise May, Ludwig Schuppert, the wife and children, names unknown, of Ludwig Schuppert, Martha Muller, the husband and children, names unknown, of Martha Muller, Jacob Steiner, the wife and children, names unknown, of Jacob Steiner, Wilhelm Steiner, and the wife and children, names unknown, of Wilhelm Steiner, and each of them, in and to the estate of Louis Koelsch, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mina Koelsch, Germany.
The husband and children, names unknown, of Mina Koelsch, Germany.
Elsie Plottner, Germany.
The husband and children, names unknown, of Elsie Plottner, Germany.
Lina Seifert, Germany.
The husband and children, names unknown, of Lina Seifert, Germany.
Thekla Fiedler, Germany.
The husband and children, names unknown, of Thekla Fiedler, Germany.
Edmond Koelsch, Germany.
The wife and children, names unknown, of Edmond Koelsch, Germany.
Eugene Koelsch, Germany.
The wife and children, names unknown, of Eugene Koelsch, Germany.
Maria Glahser, Germany.
The husband and children, names unknown, of Maria Glahser, Germany.
Katschen Kimmel, Germany.
The husband and children, names unknown, of Katschen Kimmel, Germany.
Elsie Kimmel, Germany.
The husband and children, names unknown, of Elsie Kimmel, Germany.
Pauline Weber, Germany.
The husband and children, names unknown, of Pauline Weber, Germany.
Elsie Muller, Germany.
The husband and children, names unknown, of Elsie Muller, Germany.
Louise May, Germany.
The husband and children, names unknown, of Louise May, Germany.
Ludwig Schuppert, Germany.
The wife and children, names unknown, of Ludwig Schuppert, Germany.
Martha Muller, Germany.
The husband and children, names unknown, of Martha Muller, Germany.
Jacob Steiner, Germany.
The wife and children, names unknown, of Jacob Steiner, Germany.
Wilhelm Steiner, Germany.
The wife and children, names unknown, of Wilhelm Steiner, Germany.

That such property is in the process of administration by Albert R. Koelsch, as Administrator c. t. a. of the estate of Louis Koelsch, acting under the judicial supervision of the Court of Probate, District of Ellington, State of Connecticut;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–9480; Filed, June 1, 1945; 10:42 a. m.]

[Vesting Order 4962]

GUSTAV KUEHL

In re: Estate of Gustav Kuehl, deceased; File D–17–295; E. T. sec. 7109.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Amanda Ramm in and to the estate of Gustav Kuehl, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Amanda Ramm, Germany.

That such property is in the process of administration by Minna Kuehl, 4743 N. Spaulding Avenue, Chicago, Illinois, as Administratrix de bonis non of the estate of Gustav Kuehl, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Prop-

erty Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–9481; Filed, June 1, 1945; 10:42 a. m.]

[Vesting Order 4963]

ROBERT LUDDE

In re: Estate of Robert Ludde alias Robert Bernherd Ludde, deceased; File D–28–9103; E. T. sec 11712.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Hildegard Mary Muller, Karl Ludde, also known as Carl Ludde-Neurath, and heirs at law, names unknown, of Robert Ludde alias Robert Bernherd Ludde, deceased, and each of them, in and to the estate of Robert Ludde alias Robert Bernherd Ludde, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hildegard Mary Muller, Germany.
Karl Ludde (also known as Carl Ludde-Neurath), Germany.
Heirs-at-law, names unknown, of Robert Ludde alias Robert Bernherd Ludde, deceased, Germany.

That such property is in the process of administration by John T. Dempsey, as Administrator of the estate of Robert Ludde alias Robert Bernherd Ludde, deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–9482; Filed, June 1, 1945; 10:42 a. m.]

[Vesting Order 4964]

JOSEPH LUKITSCH

In re: Estate of Joseph Lukitsch, deceased; File D–6–1002; E. T. sec. 7976.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $332.14 in the possession and custody of Victor L. Schlaeger, Treasurer of Cook County, Illinois, Depositary, which amount was deposited on May 28, 1943, pursuant to an order of the Probate Court of Cook County, Illinois, entered on July 15, 1942, in the matter of the estate of Joseph Lukitsch, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely.

National and Last Known Address

Gisella Lukitsch Pauer, Germany (Austria).

That such property is in the process of administration by the Treasurer of Cook County, Illinois, as Depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–9483; Filed, June 1, 1945; 10:42 a. m.]

[Vesting Order 4965]

JOHANN MULLER, ET AL.

In re: Johann Muller -v- Nickolaus Muller, et al.; file D–66–2041; E. T. sec. 12130.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $1,345.02 in the possession and custody of the Auditor of Hamilton County, Ohio, Depositary, representing the distributive shares of Nickolaus Muller, and Mathias Muller from the proceeds of the real estate sold pursuant to court order in a certain partition suit entitled "Johann Muller -v- Nickolaus Muller, et al., No. A65832", in the Court of Common Pleas of Hamilton County, Ohio,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals and Last Known Address

Nickolaus Muller, Rumania.
Mathias Muller, Rumania.

That such property is in the process of administration by the Auditor of Hamilton County, Ohio, as Depositary, acting under the judicial supervision of the Court of Common Pleas of Hamilton County, Cincinnati, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–9484; Filed, June 1, 1945; 10:43 a. m.]

[Vesting Order 4969]

JOHN REINDL

In re: Estate of John Reindl, deceased. File D–28–8980; E. T. sec. 11350.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ludwig Reindl, Georg Reindl, Theres Reindl, Senzi Reindl, Anna Hailmeier and Heirs of Mary Froeschl, names unknown, and each of them, in and to the estate of John Reindl, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ludwig Reindl, Germany.
Georg Reindl, Germany.
Theres Reindl, Germany.
Senzi Reindl, Germany.
Anna Hailmeier, Germany.
Heirs of Mary Froeschl, names unknown, Germany.

That such property is in the process of administration by Sebastian Reindl, 905 Toronto Street, Toledo, Ohio, as Administrator of the estate of John Reindl, deceased, acting under the judicial supervision of the Probate Court of Lucas County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 26, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–9485; Filed, June 1, 1945; 10:43 a. m.]

[Vesting Order 4973]

MARIE HAHN

In re: Estate of Marie Hahn, deceased; File D–28–9279; E. T. sec. 12178.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of George Hahn, Heinrich Hahn (son of deceased brother Heinrich), Peter Hahn, August Hahn (son of deceased brother Heinrich), Wilhelm Hahn, Kathrina Hahn, Simon Seibel, Elizabeth Felix, Heinrich Seibel, Marie O. Pfeng, Elizabeth Stopp, Margarethe Schleinkoffer, Karl Hahn, Heinrich Hahn (son of deceased brother Peter), August Hahn (brother), Margaretha Hahn, Katchen Hahn, and "Jane" Kunz, first name unknown (daughter of brother Augustus), and each of them, in and to the Estate of Marie Hahn, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

George Hahn, Germany.
Heinrich Hahn (son of deceased brother Heinrich), Germany.
Peter Hahn, Germany.
August Hahn (son of deceased brother Heinrich), Germany.
Wilhelm Hahn, Germany.
Kathrina Hahn, Germany.
Simon Seibel, Germany.
Heinrich Seibel, Germany.
Elizabeth Felix, Germany.
Marie O. Pfeng, Germany.
Elizabeth Stopp, Germany.
Margarethe Schleinkoffer, Germany.
Karl Hahn, Germany.
Heinrich Hahn (son of deceased brother Peter), Germany.
August Hahn (brother), Germany.
Margaretha Hahn, Germany.
Katchen Hahn, Germany.
"Jane" Kunz, first name unknown (daughter of brother Augustus), Germany.

That such property is in the process of administration by Arthur Michel, and Ludwig Seibel, as Executors of the Estate of Marie Hahn, acting under the judicial supervision of the Circuit Court of Multnomah County, Oregon;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1, a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admis-

sion of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 28, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9486; Filed, June 1, 1945; 10:43 a. m.]

[Vesting Order 4974]

ELSE MERKEL

In re: Estate of Else Merkel, deceased. File D-28-9056; E. T. sec. 11391.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Cacilie Merkel in and to the Estate of Else Merkel, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Cacilie Merkel, Germany.

That such property is in the process of administration by Herman P. Weinrich, as Administrator with the will annexed of the Estate of Else Merkel, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 28, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9487; Filed, June 1, 1945; 10:43 a. m.]

[Vesting Order 4975]

ELSIE MIKLOSOVITZ

In re: Estate of Elsie Miklosovitz, also known as Elsa Miklosovitz, deceased; File D-34-789; E. T. sec. 12034.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Franz Miklos, Julie Steinacher, Hedwig Steinacher and Ferdinand Steinacher, and each of them, in and to the Estate of Elsie Miklosovitz, also known as Elsa Miklosovitz, deceased,

is property payable or deliverable to, or claimed by, nationals of designated enemy countries, Hungary and Germany, namely,

Nationals and Last Known Address

Franz Miklos, Hungary.
Julie Steinacher, Germany (Austria).
Hedwig Steinacher, Germany (Austria).
Ferdinand Steinacher, Germany (Austria).

That such property is in the process of administration by Hilda Newell Norton, as Executrix of the Estate of Elsie Miklosovitz, also known as Elsa Miklosovitz, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within designated enemy countries, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, (Hungary and Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 28, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-9488; Filed, June 1, 1945; 10:43 a. m.]

[Vesting Order 4976]

CARL ZOBERBIER

In re: Estate of Carl Zoberbier, deceased, and trust created under the will of Carl Zoberbier, deceased; File D-28-8273; E. T. sec. 9437.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Betty Meiche, Amalie Zieseniss and Hanna Meiche, and each of them, in and to the Estate of Carl Zoberbier, deceased, and in and to the trust created under the will of Carl Zoberbier, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Betty Meiche, Germany.
Amalie Zieseniss, Germany.
Hanna Meiche, Germany.

That such property is in the process of administration by Alfred Medly Zoberbier, as Executor and Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or

in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 28, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–9489; Filed, June 1, 1945; 10:43 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMPR 122, Corr. to Order 55]

C. REISS COAL CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 55 issued and effective May 21, 1945 is hereby corrected to read Order No. 56.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–9439; Filed, May 31, 1945; 11:41 a. m.]

[MPR 188, Order 3890]

GENERAL CLAY PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.161 (a) (2) of Maximum Price Regulation 188 and § 1499.18 (c) of the General Maximum Price Regulation, *It is ordered:*

(a) The maximum f. o. b. plant and delivered prices for sales by the General Clay Products Company, Columbus, Ohio, of drain tile may be increased by amounts not in excess of the following:

Size	Weight, per foot	Adjustment, per M ft.
3"	4	$0.50
4"	6	.70
5"	9	1.10
6"	12	1.40
8"	18	2.20
10"	28	3.40
12"	36	4.30
15"	56	6.70
18"	78	9.40
20"	85	10.20
22"	107	12.80
24"	120	14.40

(b) Any person purchasing clay or shale drain tile manufactured by the General Clay Products Company, Columbus, Ohio, for the purpose of resale may increase his present maximum prices established under the General Maximum Price Regulation by a dollar-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted in paragraph (a), above.

(c) The amounts by which the General Clay Products Company's maximum prices are increased pursuant to paragraph (a) above, shall be separately stated on the invoice with the following notation:

Increases permitted by the Office of Price Administration to maintain supply.

The General Clay Products Company shall also furnish to each buyer purchasing its products for resale, on or before the date it makes the delivery at the adjusted price, a written statement as follows:

The Office of Price Administration has granted an adjustment in the maximum prices for drain tile manufactured by the General Clay Products Company. The amount of the price increase is shown separately on the invoice in per-thousand feet.

You are permitted to add the actual amount of this price increase to your existing maximum price for drain tile purchased from the General Clay Products Company, provided you specify the amount of the increase on your invoice given to the purchaser.

(d) The maximum prices established herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(e) Order No. L–496 under § 1499.161 (a) (2) of Maximum Price Regulation 188 is hereby revoked.

(f) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–9442; Filed, May 31, 1945; 11:42 a. m.]

[MPR 260, Order 1028]

STATE CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) State Cigar Factory, 2117 State Street, Tampa 6, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
State (Specials)	Coronas	50	*Per M* $72.00	*Cents* 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–9444; Filed, May 31, 1945; 11:43 a. m.]

[MPR 260, Order 1029]

THREE COUSINS CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Three Cousins Cigar Factory, 2503 Pine Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Corona Especial	Coronas	50	*Per M* $60	*Cents* 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9445; Filed, May 31, 1945; 11:43 a. m.]

[MPR 260, Order 1030]

AROMA TROPICAL CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Aroma Tropical Cigar Factory, 1034 9th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Gator	Corona	50	*Per M* $82.50	*Cents* 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9446; Filed, May 31 1945; 11:43 a. m.]

[MPR 260, Order 1031]

FUMA TAMPA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Fuma Tampa Cigar Factory, 1103 N. Armenia Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Fuma Tampa	Brevas Especial	50	*Per M* $169	*Cents* 22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing dif-

ferentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9447; Filed, May 31, 1945; 11:43 a. m.]

[MPR 260, Order 1032]

ZIGMUND SILVERMAN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Zigmund Silverman, 6048 Walnut Street, Philadelphia 39, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Val Rosa	Perfecto	50	$72	9
	Blunt	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9448; Filed, May 31, 1945; 11:44 a. m.]

[MPR 260, Order 1033]

THOMAS F. HEALY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered*, That:

(a) Thomas F. Healey, 155 John St., New York 7, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	
La Simbombo	Aromaticos	25	$525.00	$0.70
	Super Coronas	25	450.00	.60
	Fancy Tales	25	376.00	.50
	Excelsior #1	25	487.50	.65
	Excelsior #2	25	450.00	.60
	Coronas	25	385.00	.55
	Invencibles Finos	25	262.50	.35
	Coronas Extras	25	300.00	.40
	Coronitas Finas	25	225.00	.30
	Petit Coronas	25	250.00	3 for $1
	Half a Corona	25	210.00	$0.28
	Perfectos	25	246.25	.33
	American	25	212.25	.28
	Belvederes	25	203.50	.28
	Delicioso Extra	50	176.00	.22
	Gardenias	50	154.00	3 for .55
	Regalia Predilecta	50	200.25	.28
	Selecciones Finas	25	300.00	.40
	Bocaditos	25	214.50	.28
	Aromas	25	262.50	.35

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and front-

mark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9449; Filed, May 31, 1945; 11:44 a. m.]

[MPR 260, Order 1034]

CAUSO TRADING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered,* That:

(a) Causo Trading Co., 82 Wall St., New York 5, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Flor de Tomas Gutierez.	Coronas Grande	25	$407.00	55
	Nacionales	25	248.75	35
	Americans	25	212.25	28
	Belvederes	25	203.50	28
	Conchas Finas	25	161.50	20
	Panetelas	50	150.00	20
	Londres	25	195.25	25
	Perfectos	25	246.25	33
	Petit Coronas	25	261.75	33
	Coronas	25	368.50	50

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9450; Filed, May 31, 1945; 11:45 a. m.]

[MPR 260, Order 1035]

MANHATTAN NOVELTY CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered,* That:

(a) Manhattan Novelty Co., 263 Canal St., New York 13, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
La Aroma de Cuba.	Cetros	25	$450.00	$0.60
	Coronas	25	385.00	.55
	Nacionales	25	324.50	.44
	Clubman	25	308.00	.39
	Petit Coronas	25	250.00	3 for $1
	Elegantes	25	213.25	$0.28
	Nuevos Pert	25	206.25	.28
	Symbols	25	203.50	.28
	Belvederes	25	203.50	.28

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9451; Filed, May 31, 1945; 11:45 a. m.]

[MPR 260, Order 1036]

NICHOLAS COMPANY, LTD.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered,* That:

(a) Nicholas Co., Ltd., 90 Wall St., New York 5, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
			Per M	
Punch	Americans	25	$212.50	$0.28
Partagas	Corona Juniors	25	262.50	.35
	Corona Seniors	25	308.00	.39
	Corona Extra	25	426.25	.55
	Corona Nature	25	308.00	.39
	Corona Chico	25	261.75	.35
Bolivar	Champions	25	245.00	3 for $1
	Perfectos	25	246.50	$0.33
	Belvederes	25	203.00	.28
	Coronas de J. B. R.	25	400.00	.55
H. Upmann	Alonsos	25	212.25	.28

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 1, 1945.

Issued this 31st day of May 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9452; Filed, May 31, 1945; 11:45 a. m.]

[MPR 188, Amdt. 80 to Order A-1]

CLAY GLASS MELTING POTS AND RINGS

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new paragraph (a) (57) is added to Order A-1 to read as follows:

(57) *Modification of maximum prices for clay glass melting pots and rings.* (i) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 188, as amended, for clay glass melting pots and rings produced in the United States of America shall be their maximum f. o. b. plant prices, increased by 5.3 percent.

(ii) The maximum prices granted herein shall be subject to cash, quantity, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This amendment shall become effective June 2, 1945.

Issued this 1st day of June 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-9526; Filed, June 1, 1945; 12:04 p. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register May 25, 1945.

REGION I

Augusta Order 1-W, Amendment 10, covering dry groceries. Filed 2:10 p. m.

Boston Order 1-C, Amendment 6, covering poultry. Filed 2:10 p. m.

Boston Order 1-W, Amendment 9, covering dry groceries. Filed 2:10 p. m.

Concord Order 20-C, Amendment 2, covering poultry in the Concord, New Hampshire Area. Filed 2:19 p. m.

Rhode Island Order 3-F, Amendment 1, covering fresh fruits and vegetables in the Providence, Rhode Island Area. Filed 2:19 p. m.

Rhode Island Order 3-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Rhode Island. Filed 2:19 p. m.

Rhode Island Order 4-F, Amendment 1, covering fresh fruits and vegetables in the state of Rhode Island. Filed 2:10 p. m.

New Hampshire Order 9-F, Amendment 2, covering fresh fruits and vegetables in certain areas in New Hampshire. Filed 2:19 p. m.

REGION II

Altoona Order 18, covering dry groceries in the Altoona Area. Filed 9:42 a. m.

Albany Order 1-F, Amendment 58, covering fresh fruits and vegetables in certain areas in New York. Filed 9:39 a. m.

Altoona Order 5-W, covering dry groceries in the Altoona Area. Filed 9:42 a. m.

Albany Order 1-F, Amendment 59, covering fresh fruits and vegetables in certain cities in New York. Filed 9:36 a. m.

Albany Order 1-F, Amendment 60, covering fresh fruits and vegetables in certain cities in New York. Filed 9:36 a. m.

Albany Order 1-O, covering eggs in certain counties in New York. Filed 2:12 p. m.

Albany Order 2-O, covering eggs in certain counties in New York. Filed 2:11 p. m.

Albany Order 3-O, covering eggs in certain counties in New York. Filed 2:11 p. m.

Albany Order P-5, Amendment 5, covering fresh fish in certain counties in New York. Filed 9:36 a. m.

Albany Order P-5, Amendment 2, covering fresh fish in certain counties in New York. Filed 9:35 a. m.

Baltimore Order 4-F, Amendment 38, covering fresh fruits and vegetables in Baltimore, Maryland. Filed 2:17 p. m.

Baltimore Order 5-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Maryland. Filed 2:17 p. m.

Baltimore Order 6-F, Amendment 38, covering fresh fruits and vegetables in certain areas in Maryland. Filed 2:16 p. m.

Baltimore Order 8-F, Amendment 19, covering fresh fruits and vegetables in Allegany County and Cumberland, Maryland. Filed 2:16 p. m.

Camden Order 3-F, Amendment 32, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 9:35 a. m.

Camden Order 4-F, Amendment 32, covering fresh fruits and vegetables in the Atlantic and Cape May Counties, New Jersey. Filed 9:35 a. m.

Camden Order W-5, Amendment 1, covering dry groceries in certain counties in New Jersey. Filed 2:17 p. m.

Camden Order 20, Amendment 1, covering dry groceries in certain areas in New Jersey. Filed 2:18 p. m.

Camden Order 21, Amendment 1, covering dry groceries in certain areas in New Jersey. Filed 2:18 p. m.

Camden Order 22, Amendment 1, covering dry groceries in certain areas in New Jersey. Filed 2:17 p. m.

District of Columbia Order 5-F, Amendment 7, covering fresh fruits and vegetables. Filed 11:26 a. m.

Erie Order 7-W, Amendment 1, covering dry groceries in certain counties in Pennsylvania. Filed 9:48 a. m.

Erie Order 20, Amendment 1, covering dry groceries in certain counties in Pennsylvania. Filed 11:26 a. m.

Erie Order 21, Amendment 1, covering dry groceries in certain counties in Pennsylvania. Filed 11:25 a. m.

Erie Order 22, Amendment 1, covering dry groceries in certain counties in Pennsylvania. Filed 9:47 a. m.

Newark Order 7-F, Amendment 2, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 11:25 a. m.

Newark Order 7-F, Amendment 5, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 9:42 a. m.

Pittsburgh Order 1-C, Amendment 1, covering poultry. Filed 11:25 a. m.

Pittsburgh Order 2-C, Amendment 1, covering poultry. Filed 11:24 a. m.

Pittsburgh Order 2-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 11:25 a. m.

Pittsburgh Order 3–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Pennsylvania. Filed 11:25 a. m.

Scranton Order 18, covering dry groceries in certain counties in Pennsylvania. Filed 9:47 a. m.

Syracuse Order 3–F, Amendment 31, covering fresh fruits and vegetables in Syracuse, Watertown and Utica. Filed 2:15 p. m.

Wilmington Order 4–F, Amendment 35, covering fresh fruits and vegetables in certain areas in Delaware. Filed 2:15 p. m.

Wilmington Order 5–F, Amendment 9, covering fresh fruits and vegetables in certain areas in Delaware. Filed 9:39 a. m.

REGION IV

Birmingham Order 1–C, Amendment 4, covering poultry in certain counties in Alabama. Filed 2:15 p. m.

Birmingham Order 2–C, Amendment 4, covering poultry in certain counties in Alabama. Filed 2:15 p. m.

Jackson Order 4–F, Amendment 28, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 9:42 a. m.

Miami Order 1–F, Amendment 13, covering fresh fruits and vegetables in certain cities in Florida. Filed 2:13 p. m.

Miami Order 2–F, Amendment 13, covering fresh fruits and vegetables in certain cities in Florida. Filed 2:13 p. m.

Memphis Order 1–C, Amendment 1, covering poultry in certain areas in Tennessee. Filed 2:14 p. m.

Memphis Order 2–C, Amendment 1, covering poultry in certain counties in Tennessee. Filed 2:14 p. m.

Memphis Order 3–C, Amendment 1, covering poultry in certain areas in Tennessee. Filed 2:14 p. m.

Memphis Order 4–C, Amendment 1, covering poultry in certain counties in Tennessee. Filed 2:13 p. m.

Roanoke Order 11–F, Amendment 12, covering fresh fruits and vegetables in certain areas in Virginia. Filed 9:41 a. m.

Roanoke Order 12–F, Amendment 9, covering fresh fruits and vegetables in certain counties in Virginia. Filed 9:41 a. m.

REGION V

San Antonio Order 4–W, Amendment 7, covering dry groceries. Filed 11:20 a. m.

San Antonio Order 15, Amendment 7, covering dry groceries in certain counties in Texas. Filed 11:20 a. m.

Fargo-Moorhead Order 3–W, Amendment 6, covering dry groceries in Bismarck, Mandan, and Minot, North Dakota. Filed 9:39 a. m.

Fargo-Moorhead Order 4–W, Amendment 6, covering dry groceries in Fargo and Grand Forks, North Dakota. Filed 9:39 a. m.

Fargo-Moorhead Order 25, Amendment 6, covering dry groceries in Bismarck, Devils Lake, Jamestown, Mandan, and Minot and Valley City. Filed 9:41 a. m.

Fargo-Moorhead Order 26, Amendment 6, covering dry groceries in certain areas in North Dakota. Filed 9:41 a. m.

Fargo-Moorhead Order 27, Amendment 6, covering dry groceries in certain areas in North Dakota. Filed 9:40 a. m.

Fargo-Moorhead Order 28, Amendment 6, covering dry groceries in certain areas in North Dakota. Filed 9:40 a. m.

Green Bay Order 4–F, Amendment 12, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 11:19 a. m.

Green Bay Order 5–F, Amendment 12, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 11:19 a. m.

Green Bay Order 6–F, Amendment 12, covering fresh fruits and vegetables in Florence, Forest and Marinette. Filed 11:19 a. m.

Sioux City Order 2–F, Amendment 69, covering fresh fruits and vegetables in Sioux City, Iowa and S. Sioux City, Nebraska. Filed 11:18 a. m.

Sioux City Order 18, Amendment 2, and Order 3–W, Amendment 2, covering dry groceries in certain counties in Nebraska. Filed 11:18 a. m.

Sioux City Order 18, Amendment 3, covering dry groceries in certain counties in Nebraska. Filed 11:20 a. m.

Sioux Falls Order 5–W, Amendment 3, covering dry groceries in certain areas in South Dakota. Filed 9:47 a. m.

Sioux Falls Order 17, Amendment 4, covering dry groceries in certain areas in South Dakota. Filed 9:47 a. m.

Springfield Order 13–F, Amendment 10, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 2:13 p. m.

Springfield Order 14–F, Amendment 12, covering fresh fruits and vegetables in certain areas in Illinois. Filed 2:12 p. m.

Springfield Order 15–F, Amendment 11, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 2:12 p. m.

REGION VIII

Nevada Order 28, Amendment 1, covering dry groceries in the Reno and Sparks Area. Filed 11:24 a. m.

Phoenix Adopting Order 16 under Basic Order 1–B, Amendment 1, covering food prices in the Eastern Arizona Area. Filed 9:48 a. m.

Portland Order 4–F, Amendment 18, covering fresh fruits and vegetables in certain cities in Oregon and Washington. Filed 11:18 a. m.

Portland Order 4–F, Amendment 19, covering fresh fruits and vegetables in certain cities in Oregon and Washington. Filed 11:18 a. m.

Portland Order 5–F, Amendment 17, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:18 a. m.

Portland Order 5–F, Amendment 18, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:17 a. m.

Portland Order 6–F, Amendment 17, covering fresh fruits and vegetables in Roseburgh, Sutherlin and Oakland, Oregon. Filed 11:17 a. m.

Portland Order 6–F, Amendment 18, covering fresh fruits and vegetables in Roseburgh, Sutherlin and Oakland, Oregon. Filed 11:17 a. m.

Portland Order 7–F, Amendment 16, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:48 a. m.

Portland Order 7–F, Amendment 17, covering fresh fruits and vegetables in Klamath Falls, Oregon. Filed 9:48 a. m.

Portland Order 8–F, Amendment 16, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:48 a. m.

Portland Order 8–F, Amendment 17, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:48 a. m.

Portland Order 9–F, Amendment 16, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:48 a. m.

Portland Order 9–F, Amendment 21, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:24 a. m.

Portland Order 10–F, Amendment 20, covering fresh fruits and vegetables in Kelso, West Kelso and Longview, Washington. Filed 11:24 a. m.

Portland Order 12–F, Amendment 18, covering fresh fruits and vegetables in Salem and West Salem, Oregon. Filed 11:23 a. m.

Portland Order 13–F, Amendment 18, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:23 a. m.

Portland Order 14–F, Amendment 18, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:23 a. m.

Portland Order 15–F, Amendment 18, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:23 a. m.

Portland Order 16–F, Amendment 11, covering fresh fruits and vegetables in Bend, Oregon. Filed 11:23 a. m.

Portland Order 17–F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:23 a. m.

Portland Order 18–F, Amendment 9, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:23 a. m.

Portland Order 19–F, Amendment 9, covering fresh fruits and vegetables in Dalles, Oregon. Filed 11:22 a. m.

Portland Order 20–F, Amendment 9, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:22 a. m.

Portland Order 21–F, Amendment 9, covering fresh fruits and vegetables in Pendleton, Oregon. Filed 11:22 a. m.

Portland Order 22–F, Amendment 9, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:22 a. m.

Portland Order 27–F, Amendment 8, covering fresh fruits and vegetables in La Grande and Baker, Oregon. Filed 11:22 a. m.

Portland Order 28–F, Amendment 8, covering fresh fruits and vegetables in certain areas in Oregon. Filed 11:22 a. m.

Portland Order 29–F, Amendment 5, covering fresh fruits and vegetables in certain cities in Oregon. Filed 11:21 a. m.

San Francisco Order 1–D, Amendment 2, covering butter and cheese in the San Francisco Area. Filed 11:21 a. m.

San Francisco Order F–1, Amendment 3, covering fresh fish in certain counties in California. Filed 11:20 a. m.

San Francisco Order G–13, Amendment 3, covering dry groceries in certain counties in California. Filed 11:21 a. m.

Seattle Order 2–W, Amendment 5, covering dry groceries in certain counties in Washington. Filed 9:43 a. m.

Seattle Order 30, and Order 1–W, Amendment 7, covering dry groceries in certain areas in Washington. Filed 9:46 a. m.

Seattle Order 30, Amendment 1, covering dry groceries in certain counties in Washington. Filed 9:46 a. m.

Seattle Order 31, covering dry groceries in certain areas in Washington. Filed 9:46 a. m.

Seattle Order 31, Amendment 1, covering dry groceries in certain counties in Washington. Filed 9:45 a. m.

Seattle Order 32, covering dry groceries in certain areas in Washington. Filed 9:45 a. m.

Seattle Order 32, Amendment 1, covering dry groceries in certain counties in Washington. Filed 9:45 a. m.

Seattle Order 33, covering dry groceries in certain areas in Washington. Filed 9:44 a. m.

Seattle Order 33, Amendment 1, covering dry groceries in certain counties in Washington. Filed 9:44 a. m.

Seattle Order 34, covering dry groceries in certain areas in Washington. Filed 9:43 a. m.

Seattle Order 34, Amendment 1, covering dry groceries in certain areas in Washington. Filed 9:43 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–9463; Filed, May 31, 1945; 5:01 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register May 28, 1945.

REGION I

Augusta Order 1–F, Amendment 49, covering fresh fruits and vegetables in Portland, South Portland and Westbrook, Maine. Filed 3:41 p. m.

Connecticut Order 6–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 3:01 p. m.

Connecticut Order 6–F, Amendment 2, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 3:00 p. m.

Connecticut Order 7–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 3:00 p. m.

Connecticut Order 8–F, Amendment 1, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 3:00 p. m.

Connecticut Order 8–F, Amendment 2, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 2:45 p. m.

Vermont Order 3–F, covering fresh fruits and vegetables in certain areas in Vermont. Filed 2:44 p. m.

REGION II

New York Order 5–W, Amendment 1, covering dry groceries in New York City. Filed 3:10 p. m.

New York Order 25, Amendment 2, covering dry groceries in certain areas in New York. Filed 3:10 p. m.

New York Order 26, Amendment 2, covering dry groceries in certain areas in New York. Filed 3:10 p. m.

New York Order 28, Amendment 1, covering dry groceries in certain areas in New York. Filed 3:10 p. m.

REGION III

Charleston Order 7–F, Amendment 13, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 2:35 p. m.

Charleston Order 9–F, Amendment 13, covering fresh fruits and vegetables in Huntington and Wayne County, West Virginia. Filed 2:35 p. m.

Charleston Order 10–F, Amendment 13, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:35 p. m.

Charleston Order 11–F, Amendment 13, covering fresh fruits and vegetables in Jefferson and Morgan Counties, West Virginia. Filed 2:34 p. m.

Charleston Order 15–F, Amendment 9, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 2:34 p. m.

Charleston Order 16–F, Amendment 9, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 2:34 p. m.

Charleston Order 17–F, Amendment 9, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 2:34 p. m.

Cincinnati Order 4–F, Amendment 20, covering fresh fruits and vegetables in Hamilton County, Ohio. Filed 2:35 p. m.

Cincinnati Order 5–F, Amendment 20, covering fresh fruits and vegetables in certain counties in Ohio. Filed 2:33 p. m.

Cincinnati Order 7–F, Amendment 9, covering fresh fruits and vegetables in certain counties in Ohio. Filed 2:33 p. m.

Columbus Order 8–F, Amendment 18, covering fresh fruits and vegetables in Franklin County, Ohio. Filed 2:37 p. m.

Columbus Order 8–F, Amendment 22, covering fresh fruits and vegetables in Franklin County, Ohio. Filed 2:34 p. m.

Grand Rapids Order 14–A, Amendment 71, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 2:37 p. m.

Grand Rapids Order F–14–B, Amendment 71, covering fresh fruits and vegetables in Battle Creek, Kalamazoo and Muskegon. Filed 2:37 p. m.

Grand Rapids Order F–14–B, Amendment 73, covering fresh fruits and vegetables in Battle Creek, Kalamazoo and Muskegon. Filed 2:33 p. m.

Grand Rapids Order F–14–C, Amendment 46, covering fresh fruits and vegetables in certain areas in Michigan. Filed 2:37 p. m.

Grand Rapids Order F–14–C, Amendment 48, covering fresh fruits and vegetables in certain areas in Michigan. Filed 2:33 p. m.

Indianapolis Order 14–F, Amendment 18, covering fresh fruits and vegetables in Marion, Vigo and Tippecanoe. Filed 3:23 p. m.

Indianapolis Order 15–F, Amendment 18, covering fresh fruits and vegetables in Wayne, Delaware and Allen. Filed 3:23 p. m.

Indianapolis Order 16–F, Amendment 18, covering fresh fruits and vegetables in St. Joseph. Filed 3:23 p. m.

Indianapolis Order 17–F, Amendment 18, covering fresh fruits and vegetables in Vanderburgh. Filed 3:22 p. m.

Lexington Order 5–F, Amendment 8, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 2:33 p. m.

Lexington Order 5–F, Amendment 9, covering fresh fruits and vegetables in Fayette County, Kentucky. Filed 3:22 p. m.

Lexington Order 6–F, Amendment 8, covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 2:32 p. m.

Lexington Order 6–F, Amendment 9, covering fresh fruits and vegetables in Campbell and Kenton Counties, Kentucky. Filed 3:15 p. m.

Lexington Order 7–F, Amendment 8, covering fresh fruits and vegetables in Boyd County, Kentucky. Filed 2:32 p. m.

Lexington Order 7–F, Amendment 9, covering fresh fruits and vegetables in Boyd County, Kentucky. Filed 3:15 p. m.

Lexington Order 8–F, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 2:32 p. m.

Lexington Order 8–F, Amendment 1, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 2:32 p. m.

Louisville Order 1–C, Amendment 4, covering poultry in Jefferson, Kentucky, Clark and Floyd Counties, Indiana. Filed 2:43 p. m.

Louisville Order 2–C, Amendment 4, covering poultry in certain counties in Kentucky. Filed 2:43 p. m.

Louisville Order 2–P, covering fish and sea food in Jefferson, Kentucky, and Floyd and Clark Counties, Indiana. Filed 2:42 p. m.

Louisville Order 12–F, Amendment 18, covering fresh fruits and vegetables in certain counties in Kentucky and Indiana. Filed 2:44 p. m.

Louisville Order 12–F, Amendment 19, covering fresh fruits and vegetables in certain counties in Kentucky, and Indiana. Filed 2:44 p. m.

Louisville Order 12–F, Amendment 20, covering fresh fruits and vegetables in certain counties in Kentucky and Indiana. Filed 3:15 p. m.

Louisville Order 13–F, Amendment 18, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 2:44 p. m.

Louisville Order 13–F, Amendment 19, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 2:44 p. m.

Louisville Order 13–F, Amendment 20, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 3:15 p. m.

Louisville Order 14–F, Amendment 18, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 2:43 p. m.

Louisville Order 14–F, Amendment 19, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 2:43 p. m.

Louisville Order 14–F, Amendment 20, covering fresh fruits and vegetables in Daviess and Henderson Counties, Kentucky. Filed 3:14 p. m.

Columbia Order 7–F, Amendment 1, covering fresh fruits and vegetables in the entire State of South Carolina. Filed 2:41 p. m.

Columbia Order 7–F, Amendment 2, covering fresh fruits and vegetables in the entire State of South Carolina. Filed 3:14 p. m.

REGION IV

Montgomery Order 20–F, Amendment 23, covering fresh fruits and vegetables in Mobile County, Alabama. Filed 2:37 p. m.

Montgomery Order 22–F, Amendment 29, covering fresh fruits and vegetables in Houston County. Filed 2:36 p. m.

Montgomery Order 21–F, Amendment 28, covering fresh fruits and vegetables in Montgomery County. Filed 2:36 p. m.

Montgomery Order 23–F, Amendment 8, covering fresh fruits and vegetables in certain counties in Alabama. Filed 2:36 p. m.

Montgomery Order 24–F, Amendment 26, covering fresh fruits and vegetables in Dallas County. Filed 2:36 p. m.

Roanoke Order 11–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Virginia. Filed 2:36 p. m.

Roanoke Order 12–F, Amendment 7, covering fresh fruits and vegetables in certain counties in Virginia. Filed 2:36 p. m.

Savannah Order 6–W under Basic Order 2–B, Amendment 2, covering dry groceries. Filed 3:07 p. m.

Savannah Order 20, Amendment 3, covering dry groceries. Filed 3:07 p. m.

Savannah Order 21, Amendment 2, covering dry groceries. Filed 3:07 p. m.

REGION V

Fort Worth Order 7–F, Amendment 9, covering fresh fruits and vegetables in Tarrant County, Texas. Filed 3:13 p. m.

Fort Worth Order 8–F, Amendment 9, covering fresh fruits and vegetables in Taylor County, Texas. Filed 3:13 p. m.

Fort Worth Order 9–F, Amendment 9, covering fresh fruits and vegetables in Tom Green County, Texas. Filed 3:12 p. m.

Fort Worth Order 10–F, Amendment 9, covering fresh fruits and vegetables in McLennan County, Texas. Filed 3:12 p. m.

Fort Worth Order 11–F, Amendment 9, covering fresh fruits and vegetables in Wichita County, Texas. Filed 3:12 p. m.

Little Rock Order 2–F, Amendment 55, covering fresh fruits and vegetables in Pulaski County, Arkansas. Filed 2:39 p. m.

Little Rock Order 4–F, Amendment 46, covering fresh fruits and vegetables in Miller County, Arkansas. Filed 2:39 p. m.

Little Rock Order 5–F, Amendment 47, covering fresh fruits and vegetables in Garland County, Arkansas. Filed 2:39 p. m.

Little Rock Order 6–F, Amendment 47, covering fresh fruits and vegetables in Sebastian and Crawford Counties, Arkansas. Filed 2:39 p. m.

Lubbock Order 3–F, Amendment 53, covering fresh fruits and vegetables in certain areas in Texas. Filed 2:39 p. m.

St. Louis Order 3–F, Amendment 33, covering fresh fruits and vegetables in the city and county of St. Louis, Missouri. Filed 3:12 p. m.

REGION VI

Sioux Falls Order 18, Amendment 2, covering dry groceries in certain counties in South Dakota. Filed 2:38 p. m.

Springfield Order 13–F, Amendment 8, covering fresh fruits and vegetables in Springfield and Sangamon County, Illinois. Filed 2:38 p. m.

Springfield Order 13–F, Amendment 11, covering fresh fruits and vegetables in Springfield and Sangamon County, Illinois. Filed 3:12 p. m.

Springfield Order 14–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Illinois. Filed 2:38 p. m.

Springfield Order 14–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Illinois. Filed 3:11 p. m.

Springfield Order 15–F, Amendment 9, covering fresh fruits and vegetables in Decatur and Macon County, Illinois. Filed 2:38 p. m.

Springfield Order 15–F, Amendment 12, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 3:11 p. m.

REGION VIII

Fresno Order 34, covering certain food items in certain areas in California. Filed 2:41 p. m.

Los Angeles Order 1–F, Amendment 65, covering fresh fruits and vegetables in the Los Angeles Area. Filed 2:40 p. m.

Los Angeles Order 1–P, Amendment 3, covering fresh fish and seafood in the Los Angeles Area. Filed 2:40 p. m.

Los Angeles Order 1–W, Amendment 4, covering dry groceries in the Los Angeles Area. Filed 2:40 p. m.

Los Angeles Order L. A. 12, Amendment 3, covering dry groceries in the Los Angeles Area. Filed 2:40 p. m.

Seattle Order 2–W, Amendment 8, covering dry groceries in certain areas in Washington. Filed 2:41 p. m.

Seattle Order 32, Amendment 4, covering dry groceries in certain areas in Washington. Filed 2:42 p. m.

Seattle Order 33, Amendment 4, covering dry groceries in certain areas in Washington. Filed 2:42 p. m.

Seattle Order 34, Amendment 4, covering dry groceries in certain areas in Washington. Filed 2:42 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-9465; Filed, May 31, 1945; 5:01 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register, May 28, 1945.

REGION II

Buffalo Order 3–F, Amendment 10, covering fresh fruits and vegetables in certain cities in New York. Filed 12:12 p. m.

Buffalo Order 4–F, Amendment 10, covering fresh fruits and vegetables in certain cities in New York. Filed 12:12 p. m.

Camden Order 3–F, Amendment 33, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 12:12 p. m.

Camden Order 4–F, Amendment 33, covering fresh fruits and vegetables in Atlantic and Cape May Counties, New Jersey. Filed 12:11 p. m.

Des Moines Order 1–F, Amendment 64, covering fresh fruits and vegetables in Des Moines, Polk County. Filed 12:16 p. m.

District of Columbia Order 5–F, Amendment 10, covering fresh fruits and vegetables. Filed 12:11 p. m.

Philadelphia Order P–2, Amendment 5, covering fresh fish in Philadelphia, Pennsylvania. Filed 12:10 p. m.

Philadelphia Order 6–F, Amendment 28, covering fresh fruits and vegetables in Philadelphia, Pennsylvania. Filed 12:11 p. m.

Philadelphia Order 11–F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 12:11 p. m.

Philadelphia Order 12–F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 12:11 p. m.

Milwaukee Order 3–W, Amendment 3, covering dry groceries in certain areas in Wisconsin. Filed 12:16 p. m.

Milwaukee Order 12, Amendment 4, covering dry groceries in certain areas in Wisconsin. Filed 12:17 p. m.

Syracuse Order 3–F, Amendment 32, covering fresh fruits and vegetables in certain cities in New York. Filed 12:16 p. m.

Syracuse Order 4–F, Amendment 20, covering fresh fruits and vegetables in certain counties in New York. Filed 12:16 p. m.

REGION III.

Columbus Order 15, Amendment 11, covering eggs in certain counties in Ohio. Filed 12:19 p. m.

Columbus Order 15, Amendment 12, covering eggs in certain counties in Ohio. Filed 12:19 p. m.

Columbia Order 16, Amendment 11, covering eggs in certain counties in Ohio. Filed 12:18 p. m.

Columbus Order 16, Amendment 12, covering poultry in certain counties in Ohio. Filed 12:18 p. m.

Detroit Order 2–C, Amendment 4, covering poultry in the Detroit Area. Filed 12:18 p. m.

Detroit Order 3–C, Amendment 4, covering poultry in the Detroit Area. Filed 12:18 p. m.

Detroit Order 5–F, Amendment 16, covering fresh fruits and vegetables in Wayne and Macomb Counties. Filed 12:12 p. m.

Grand Rapids Order 14–A, Amendment 73, covering fresh fruits and vegetables in Grand Rapids, Michigan. Filed 12:12 p. m.

Louisville Order 1–C, Amendment 5, covering poultry in certain areas in Kentucky and Indiana. Filed 12:12 p. m.

Louisville Order 2–C, Amendment 5, covering poultry in certain counties in Kentucky. Filed 12:12 p. m.

Saginaw Order 5–W, Amendment 1, covering dry groceries in the Saginaw Area. Filed 12:17 p. m.

Saginaw Order 24, Amendment 1, covering dry groceries in the Saginaw Area. Filed 12:17 p. m.

Toledo Order 12, Amendment 1, covering dry groceries. Filed 12:17 p. m.

REGION V

Houston Order 1–C, Amendment 6, covering poultry. Filed 12:08 p. m.

Houston Order 1–F, Amendment 55, covering fresh fruits and vegetables in certain counties and cities in Texas. Filed 12:10 p. m.

Houston Order 3–F, Amendment 43, covering fresh fruits and vegetables in Jefferson and Orange Counties, Texas. Filed 12:08 p. m.

Little Rock Order 2–F, Amendment 58, covering fresh fruits and vegetables in Pulaski County, Arkansas. Filed 12:08 p. m.

Little Rock Order 4–F, Amendment 49, covering fresh fruits and vegetables in Miller County, Arkansas. Filed 12:08 p. m.

Little Rock Order 5–F, Amendment 50, covering fresh fruits and vegetables in Garland County, Arkansas. Filed 12:08 p. m.

Lubbock Order 3–F, Amendment 56, covering fresh fruits and vegetables in certain counties in Texas. Filed 12:07 p. m.

REGION VI

Des Moines Order 3–F, Amendment 12, covering fresh fruits and vegetables in certain counties in Iowa. Filed 12:15 p. m.

Peoria Order 7–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Illinois. Filed 12:15 p. m.

Peoria Order 8–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Illinois. Filed 12:15 p. m.

Peoria Order 9–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Illinois. Filed 12:15 p. m.

Peoria Order 10–F, Amendment 7, covering fresh fruits and vegetables in certain areas in Illinois. Filed 12:15 p. m.

REGION VII

Salt Lake City Order 1–B, Amendment 2, covering certain food items. Filed 12:05 p. m.

Salt Lake City Order 7–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 12:07 p. m.

Salt Lake City Order 8–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 12:07 p. m.

Salt Lake City Order 9–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 12:06 p. m.

Salt Lake City Order 10–F, covering fresh fruits and vegetables in certain areas in Utah. Filed 12:06 p. m.

REGION VIII

Fresno Order 1–F, Amendment 66, covering fresh fruits and vegetables in Fresno, California. Filed 12:05 p. m.

Fresno Order 2–F, Amendment 54, covering fresh fruits and vegetables in Modesto, California. Filed 12:04 p. m.

Fresno Order 3–F, Amendment 51, covering fresh fruits and vegetables in certain areas in California. Filed 12:03 p. m.

Fresno Order 4–F, Amendment 26, covering fresh fruits and vegetables in certain areas in California. Filed 12:03 p. m.

Fresno Order 6–F, Amendment 37, covering fresh fruits and vegetables in Kern County, and city of Bakersfield. Filed 12:03 p. m.

Fresno Order 7–F, Amendment 16, covering fresh fruits and vegetables in Merced. Filed 12:03 p. m.

Seattle Order 6–F, Amendment 34, covering fresh fruits and vegetables in Seattle and Bremerton, Washington. Filed 12:14 p. m.

Seattle Order 7–F, Amendment 31, covering fresh fruits and vegetables in Tacoma, Washington. Filed 12:14 p. m.

Seattle Order 8–F, Amendment 29, covering fresh fruits and vegetables in Everett, Washington. Filed 12:14 p. m.

Seattle Order 9–F, Amendment 34, covering fresh fruits and vegetables in Seattle and Bremerton, Washington. Filed 12:14 p. m.

Seattle Order 10–F, Amendment 28, covering fresh fruits and vegetables in Bellingham, Washington Area. Filed 12:14 p. m.

Seattle Order 11–F, Amendment 28, covering fresh fruits and vegetables in Olympia, Washington. Filed 12:14 p. m.

Seattle Order 12–F, Amendment 28, covering fresh fruits and vegetables in Aberdeen-Hoquiam, Washington. Filed 12:13 p. m.

Seattle Order 13–F, Amendment 29, covering fresh fruits and vegetables in Centralia-Chehalis, Washington. Filed 12:14 p. m.

Seattle Order 14–F, Amendment 30, covering fresh fruits and vegetables in Wenatchee and East Wenatchee, Washington. Filed 12:13 p. m.

Seattle Order 15–F, Amendment 27, covering fresh fruits and vegetables in Yakima, Washington. Filed 12:13 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-9464; Filed, May 31, 1945; 5:01 p. m.]

[Region VII Order G–11 Under MPR 188]

BONHAM CO.

AUTHORIZATION OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G–11 is issued.

(a) *What this order does.* This Order No. G–11 establishes maximum prices for a gopher trap, as hereinafter defined, when sold by the manufacturer to jobbers or wholesalers, and when sold by the manufacturer, jobbers, or wholesalers to retailers, and when sold by any person to ultimate consumers or users in this Region VII.

(b) *Authorized maximum prices.* Upon and after the effective date of this Order No. G–11, the maximum prices for the gopher trap defined in paragraph (e) hereof shall be as follows:

	Per dozen
(1) When sold by the manufacturer, f. o. b. his manufacturing plant, to a jobber, a wholesaler, a mail order establishment, or a chain store	$1.20
(2) When sold on an f. o. b. basis by the manufacturer, a jobber, a wholesaler, a mail order establishment, or a chain store to any person who purchases for resale to ultimate consumers or users	1.60
(3) When sold by any seller to an ultimate consumer or user	*Each* $0.23

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G–11 to a person who purchases for resale, he must show upon the invoice or on a separate slip or rider attached thereto the applicable one of the following provisions:

By virtue of Order No. G–11 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this gopher trap are:

	Per dozen
(1) When sold on an f. o. b. basis to one who purchases for resale to an ultimate consumer or user	$1.60
(2) When sold by any seller to an ultimate consumer or user	*Each* $0.23

(d) *Geographical applicability.* The maximum prices authorized by this Order No. G–11 are applicable only to sales within this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and all that part of the State of Idaho lying south of the southern boundary of Idaho County, the County of Malheur in the State of Oregon, and all that part of the Counties of Mohave and Coconino in the State of Arizona lying north of the Colorado River.

(e) *Definition of gopher trap.* The gopher trap covered by this order is the one originally produced by Ross W. LeBaron of 1797 South State Street, Salt Lake City 4, Utah, in accordance with the design and specifications set forth by the said Ross W. LeBaron in his application now on file in this Regional Office and upon which our letter order No. 7–188–158–158a–9 was issued under date of February 14, 1945.

(f) *Applicability of other regulations.* Except insofar as the same are inconsistent with or contradictory of any one or more of the terms and provisions of this Order No. G–11, all of the terms and provisions of Maximum Price Regulation No. 188 shall remain in full force and effect, and all sellers of the gopher trap in question shall remain subject thereto.

(g) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(h) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(i) *Effective date.* This Order No. G–11 shall become effective on the 24th day of May 1945.

Issued this 24th day of May 1945.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 45–9301; Filed, May 29, 1945; 4:44 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register May 26, 1945.

REGION II

Altoona Order 2–F, Amendment 21, covering fresh fruits and vegetables in the entire Altoona Area. Filed 9:41 a. m.

Baltimore Order 36, Amendment 1, covering dry groceries in certain areas in Maryland and Delaware. Filed 9:40 a. m.

Buffalo Order D–2, Amendment 1, covering poultry in certain counties in New York. Filed 9:40 a. m.

Buffalo Order D–3, Amendment 1, covering poultry in certain counties in New York. Filed 9:40 a. m.

Buffalo Order E–1, Amendment 4, covering poultry in certain counties in New York. Filed 9:40 a. m.

Buffalo Order 2–F, Amendment 34, covering fresh fruits and vegetables in certain areas in New York. Filed 9:40 a. m.

Camden Order 1–O, covering eggs in Camden, New Jersey. Filed 9:52 a. m.

Camden Order 2–O, covering eggs in the Camden, New Jersey Area. Filed 9:51 a. m.

Scranton Order 16–C, Amendment 6, covering poultry in certain counties in Pennsylvania. Filed 9:39 a. m.

Scranton Order 17–C, Amendment 6, covering poultry in certain counties in Pennsylvania. Filed 9:39 a. m.

Trenton Order 12–F, Amendment 9, covering fresh fruits and vegetables in certain counties in New Jersey. Filed 9:38 a. m.

Trenton Order 42, Amendment 1, covering poultry in the Trenton, New Jersey Area. Filed 9:38 a. m.

Trenton Order 43, Amendment 1, covering poultry in the Trenton, New Jersey Area. Filed 9:38 a. m.

Williamsport Order 2–F, Amendment 38, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:38 a. m.

Wilmington Order 19, Amendment 1, covering dry groceries in certain areas in Delaware. Filed 9:38 a. m.

Wilmington Order 20, Amendment 1, covering dry groceries in certain areas in Delaware. Filed 9:37 a. m.

REGION IV

Memphis Order 6–F, Amendment 31, covering fresh fruits and vegetables in Memphis and Shelby County, Tennessee. Filed 9:41 a. m.

Memphis Order 7–F, Amendment 10, covering fresh fruits and vegetables in certain areas in Tennessee. Filed 9:41 a. m.

REGION V

New Orleans Order 2–F, Amendment 74, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 9:51 a. m.

Oklahoma City Order 4–W, Amendment 3, covering dry groceries. Filed 9:51 a. m.

Oklahoma City Order G–15, Amendment 5, covering dry groceries. Filed 9:51 a. m.

REGION VI

Duluth-Superior Order 1–F, Amendment 71, covering fresh fruits and vegetables in certain areas in Minnesota. Filed 9:50 a. m.

Milwaukee Order 8–F, Amendment 9, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 9:50 a. m.

Milwaukee Order 9–F, Amendment 9, covering fresh fruits and vegetables in Sheboygan and Fond Du Lac Counties, Wisconsin. Filed 9:50 a. m.

Milwaukee Order 11–F, Amendment 1, covering fresh fruits and vegetables in Racine, Kenosha and Milwaukee County. Filed 9:49 a. m.

Omaha Order 22, Amendment 4, covering dry groceries in certain counties in Nebraska. Filed 9:49 a. m.

Omaha Order 23, Amendment 4, covering dry groceries in certain counties in Nebraska. Filed 9:49 a. m.

Sioux City Order 2–F, Amendment 72, covering fresh fruits and vegetables in Sioux City, Iowa and South Sioux City, Nebraska. Filed 9:48 a. m.

REGION VIII

Los Angeles Order 1–F, Amendment 66, covering fresh fruits and vegetables in the Santa Barbara-San Luis Obispo Area. Filed 9:48 a. m.

Los Angeles Order 1–F, Amendment 67, covering fresh fruits and vegetables in the Santa Barbara-San Luis Obispo Area. Filed 9:48 a. m.

Los Angeles Order 1–F, Amendment 68, covering fresh fruits and vegetables in the Santa Barbara-San Luis Obispo Area. Filed 9:47 a. m.

Los Angeles Order 1–P, Amendment 5, covering fresh fish in a certain area in Los Angeles County. Filed 9:47 a. m.

Portland Order 5–F, Amendment 23, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:47 a. m.

Portland Order 4–F, Amendment 24, covering fresh fruits and vegetables in certain areas in Oregon and Washington. Filed 9:47 a. m.

Portland Order 5–F, Amendment 24, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:46 a. m.

Portland Order 6–F, Amendment 23, covering fresh fruits and vegetables in Roseburg, Sutherlin and Oakland, Oregon. Filed 9:47 a. m.

Portland Order 6–F, Amendment 24, covering fresh fruits and vegetables in Roseburg, Sutherlin and Oakland, Oregon. Filed 9:46 a. m.

Portland Order 7–F, Amendment 22, covering fresh fruits and vegetables in Klamath Falls, Oregon. Filed 9:46 a. m.

Portland Order 7–F, Amendment 23, covering fresh fruits and vegetables in Klamath Falls, Oregon. Filed 9:46 a. m.

Portland Order 8–F, Amendment 22, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:46 a. m.

Portland Order 8–F, Amendment 23, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:46 a. m.

Portland Order 9–F, Amendment 22, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:46 a. m.

Portland Order 9–F, Amendment 23, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:46 a. m.

Portland Order 10–F, Amendment 21, covering fresh fruits and vegetables in Kelso, West Kelso and Longview, Washington. Filed 9:45 a. m.

Portland Order 10–F, Amendment 22, covering fresh fruits and vegetables in Kelso, West Kelso and Longview, Washington. Filed 9:45 a. m.

Portland Order 12–F, Amendment 19, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:45 a. m.

Portland Order 12–F, Amendment 20, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:45 a. m.

Portland Order 13–F, Amendment 19, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:45 a. m.

Portland Order 13–F, Amendment 20, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:45 a. m.

Portland Order 14–F, Amendment 19, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:45 a. m.

Portland Order 14–F, Amendment 20, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:44 a. m.

Portland Order 15–F, Amendment 19, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:44 a. m.

Portland Order 15–F, Amendment 20, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:44 a. m.

Portland Order 16–F, Amendment 12, covering fresh fruits and vegetables in Bend, Oregon. Filed 9:44 a. m.

Portland Order 16–F, Amendment 13, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:44 a. m.

Portland Order 17–F, Amendment 12, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:44 a. m.

Portland Order 17–F, Amendment 13, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:44 a. m.

Portland Order 18–F, Amendment 10, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:44 a. m.

Portland Order 19–F, Amendment 10, covering fresh fruits and vegetables in Dalles, Oregon. Filed 9:43 a. m.

Portland Order 19–F, Amendment 11, covering fresh fruits and vegetables in Dalles, Oregon. Filed 9:43 a. m.

Portland Order 20–F, Amendment 10, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:43 a. m.

Portland Order 20–F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:43 a. m.

Portland Order 21–F, Amendment 10, covering fresh fruits and vegetables in Pendleton, Oregon. Filed 9:43 a. m.

Portland Order 21–F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:43 a. m.

Portland Order 22–F, Amendment 10, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:43 a. m.

Portland Order 22–F, Amendment 11, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:42 a. m.

Portland Order 28–F, Amendment 9, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:42 a. m.

Portland Order 29–F, Amendment 6, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:42 a. m.

Portland Order 29–F, Amendment 7, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:42 a. m.

Portland Order 30–F, covering fresh fruits and vegetables in certain cities in Oregon. Filed 9:41 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45–9384; Filed, May 30, 1945; 4:43 p. m.]

[Region IV Order G–15 Under SR 15, MPR 280 and MPR 329, Amdt. 2]

FLUID MILK IN ALABAMA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.75 (a) (9) (ii) (c) of the General Maximum Price Regulation, § 1351.807 (b) (3) of Maximum Price Regulation 280, and § 1351.408 (g) of Maximum Price Regulation 329, *It is hereby ordered*, That the above enumerated order be amended in the following respect:

In section 14 (k), table 6A, the figure, 15½, in the column of wholesale prices opposite the quart container size is corrected to read 16.

This amendment shall become effective April 15, 1945.

Issued: April 14, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45–9386; Filed, May 30, 1945; 4:43 p. m.]

[Region IV Orders G–15, G–16, G–17, G–18, G–19, G–20, G–21, G–22 Under SR 15, MPR 280 and MPR 329, Amdt. 1]

FLUID MILK IN ATLANTA REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.75 (a) (9) (ii) (c) of the General Maximum Price Regulation, § 1351.807 (b) (3) of Maximum Price Regulation 280, and § 1351.408 (g) of Maximum Price Regulation 329, *It is hereby ordered*, That the above enumerated orders be amended in the following respects:

1. Section 11 (a) shall read as follows: "Milk" means liquid cows' milk in a raw, unprocessed state which is purchased in bulk for resale for human consumption as fluid milk.

2. Section 11 (b) shall read as follows: "Manufacturing Milk" means liquid cows' milk in a raw, unprocessed state which is purchased for use in (1) commercial or industrial products, or (2) manufactured dairy and food products such as butter, cheese, evaporated or condensed milk, powdered milk, casein, ice cream, and bakery products.

This amendment shall become effective April 15, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: April 6, 1945.

ALEXANDER HARRIS,
Regional Administrator.

Approved:

L. T. WELLS,
In charge Southern Field Office, Dairy and Poultry Branch, Office of Marketing Services, War Food Administration.

[F. R. Doc. 45–9387; Filed, May 30, 1945; 4:44 p. m.]

[Region I Order G–19 Under SR 15, MPR 280 and MPR 329]

FLUID MILK IN NEW HAMPSHIRE

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1351.807 of Maximum Price Regulation 280, as amended, Order No. G–19 is hereby amended in the following respects:

1. In paragraph (f) (2), the period at the end of the first sentence is replaced by a semi-colon, and the following words are added: "*Provided, further*, That in each case the maximum price for bulk sales at wholesale in eight quart or larger cans shall be the same, per quart, as the maximum price for sales of Quarts at wholesale."

2. Subparagraph (11) is added to paragraph (1), to read as follows:

(11) Amendment No. 11 shall become effective at 12:01 a. m. on June 1, 1945.

Issued this 28th day of May 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc 45–9474; Filed, June 1, 1945; 9:00 a. m.]

[Williamsport Order G–1 Under RMPR 285]

IMPORTED FRESH BANANAS IN WILLIAMSPORT, PA., DISTRICT

For the reasons stated in the accompanying opinion and under the authority vested in the Regional Administrator of Region II by sections 5 (a) (2) and 5 (b) of Revised Maximum Price Regulation No. 285 and by him delegated to the Williamsport District Director this order is issued.

SECTION 1. *What this order does.* This order specifies an amount which may be added to the maximum prices of sellers, other than importers, of "processed bananas" to compensate for inbound delivery costs (not including local hauling) charged to or paid for or absorbed by such sellers.

SEC. 2. *Area covered.* This order applies where a "wholesale receiving point" is located in the Counties of Bradford, Cameron, Centre, Clinton, Elk, Lycoming, McKean, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga or Union, all in the Commonwealth of Pennsylvania.

SEC. 3. *Addition to maximum prices.* A seller, other than an importer, of "processed bananas", may increase his maximum price, as determined under RMPR No. 285, by his actual cost of motor-vehicle transportation, not to exceed 30¢ per cwt., for transportation from New York, N. Y., Philadelphia or Pittsburgh, Pa. or Baltimore, Md. to his "wholesale receiving point" located in the area described in section 2 above.

This amount includes all allowances, if any, for protective and other accessorial services and all taxes on transportation costs.

SEC. 4. *Definitions.* The terms "processed bananas" and "wholesale receiving point" are to be understood as defined in section 2 of RMPR 285.

SEC. 5. *Effective date.* This order shall become effective at 12:01 a. m. on May 8, 1945.

Issued: May 4, 1945.

JOSEPH L. RAY,
District Director.

[F. R. Doc. 45-9473; Filed, June 1, 1945; 9:00 a. m.]

[Seattle Order G-28 Under 18 (c)]

CERTAIN MILLWOOD IN THE EAST LAKE WASHINGTON AREA

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Seattle District Director of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and Revised General Order No. 32, and Order of Delegation No. 34 issued by the Regional Administrator of the Eighth Region; *It is hereby ordered:*

(a) The maximum prices for sales and deliveries in the East Lake Washington area of the types and kinds of firewood specified in this Order No. G-28 as established by § 1499.2 or § 1499.3 of the General Maximum Price Regulation as amended or by any previous order issued pursuant to such regulation or any supplemental regulation thereto are hereby adjusted to the maximum prices provided in this Order No. G-28; *Provided, however,* That the area maximum prices established by this Order No. G-28 shall have no application to sales or deliveries of the types and kinds of firewood by the producing mill.

(b) *Definitions.* When used in this order the following terms shall have the meanings set forth below:

(1) "East Lake Washington area" means that portion of King County outside the area defined as the "Metropolitan Seattle area" in Second Revised Order No. G-7, and within the area bounded on the west by Puget Sound, on the north by the King County-Snohomish County line, on the east by a line drawn along Paradise Lake Road, Cottage Lake Road, Bear Creek Road and State Road No. 2 to Lake Sammamish, thence, along the westerly shore of Lake Sammamish to its most southerly point which is a juncture with State Road No. 2D, thence, south and west on State Road No. 2 to Renton, Washington, including the area within the corporate limits of Renton, Washington and an area within a radius of four miles from the corporate limits of Renton, Washington. The area defined as "East Lake Washington area" shall include the communities of Juanita, York, White, Firloch, Hollywood, Woodinville, Bothell, Hillcrest, Inglewood, Kenmore, Lake Forest Park, Richmond Highlands, Richmond Beach, Elliott, Orillia, Coalfield, Colman, Kennydale, Coal Creek, New Castle, Factoria, Wilburton, Bellevue, Kenilworth, Northrup, Houghton, Kirkland, Redmond, and Medina.

(2) "Local wood" means all wood fuels of the types and kinds described in Order No. G-28 produced by mills located within the area, defined as the "East Lake Washington area" and by mills located within the area defined as the "Metropolitan Seattle area" in Second Revised Order No. G-7, and by mills located in the town of Preston, Washington.

(3) "Imported wood" means all wood fuels of the types and kinds described in Order No. G-28 produced by mills located outside the area described as the "East Lake Washington area" except that produced by mills located within the town of Preston, Washington.

(4) "Cord" means 128 cubic feet of stacked wood or 192 cubic feet of loose measure. Reference is made to the definition of the term "cord" set forth in section 19 of Chapter 194 of the Laws of the State of Washington, 1927, relating to weights and measures, which definition is incorporated herein by reference as if set forth in full.

(5) "Consumer" means all ultimate users including domestic, industrial and commercial users.

(6) "Dry wood" means thoroughly seasoned wood fuel, either kiln dried or air dried: *Provided,* That air-dried wood may not be sold as dry wood unless it has been seasoned for a period of not less than three months.

(c) *Maximum prices.* (1) The maximum prices for the kinds and types of wood described in Tables No. 1 and No. 2 set forth below delivered to the premises of the consumer within the area defined as the "East Lake Washington area" shall be the prices set forth in the appropriate column and line of the appropriate table set forth below:

TABLE I—LOCAL WOOD

Type of wood and lengths	*Maximum prices per cord*
Green mill slab, mixed mill, and mill run, 24" or less	$ 7.50
Dry mill slab, mixed mill, and mill run, 24" or less	10.00
Green inside block, green or dry planer ends	9.00

TABLE II—IMPORTED WOOD

Type of wood and lengths	*Maximum prices per cord*
Green mill slab, mixed mill, and mill run, 24" or less	$ 9.00
Dry mill slab, mixed mill, and mill run, 24" or less	12.00
Green inside block, green or dry planer ends	11.00

(2) The maximum prices for the kinds and types of wood fuel described in Tables No. 1 and No. 2 set forth above delivered to the premises of the consumer within the East Lake Washington area in fractional cord lots shall be the appropriate fraction of the per cord price set forth in the appropriate column and line of the appropriate table set forth above plus $.50 per half cord for sales in half cord lots, $.35 per third cord for sales in third cord lots, and $.25 per quarter cord for sales in quarter cord lots.

(3) The maximum prices provided by this Order No. G-28 are subject to the sellers discounts and differentials in effect in March 1942 including the discount for prompt payment and the discount for sales of multiple cords or units.

(d) *Invoices and records.* Every person making a sale of fire wood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale which shall show:

(1) The date of sale.

(2) The name and address of the buyer and seller.

(3) The quantity of firewood sold.

(4) Description of firewood sold in the same manner as it is described in this order.

(5) Place of sale.

(6) The total price of the wood.

The seller shall keep an exact copy of such invoice or memorandum of sale for so long as the Emergency Price Control Act of 1942 as amended remains in effect. Such copy shall be made available for inspection by the Office of Price Administration.

(e) This order may be revoked, amended, or corrected at any time. The record-keeping provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-28 shall become effective May 22, 1945.

Issued this 22d day of May 1945.

R. E. MORGAN,
Acting District Director.

[F. R. Doc. 45-9472; Filed, June 1, 1945; 9:00 p. m.]

[Region IX Order AG-12 Under MPR 288]

OSCAR SAMUELSON AND NORTHERN COMMERCIAL COMPANY

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Territorial Director of the Office of Price Administration in Alaska by § 1418.354 (a) of Maximum Price Regulation 288; *It is ordered:*

(a) Specific authorization is hereby granted to Oscar Samuelson and the Northern Commercial Company, both of Bethel, Alaska, to increase their maximum prices established for packaged distilled spirits and wines by § 1418.363 (v), Table XXII, of Maximum Price Regulation 288, by adding to the specific prices fixed for sales in Zone 4 the applicable amount set forth below:

Bottle size:	*Permitted increase per bottle*
Tenth	$0.60
Pint	.70
Fifth	1.05
Quart	1.25

(b) This order supersedes Order AG-9 which is hereby revoked.

(c) Unless previously revoked or amended, this order shall remain in effect until superseded by an appropriate amendment to Maximum Price Regulation 288.

This order shall become effective February 1, 1945.

A copy of this order has been filed with the Territorial Office in Juneau where it is open to inspection by the public.

Issued this 1st day of February 1945.

MILDRED HERMANN,
Alaska Director.

[F. R. Doc. 45-9475; Filed, June 1, 1945; 9:01 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-45, 59-48]

SOUTHERN UNION GAS COMPANY, ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of May, A. D. 1945.

Notice is hereby given that declarations or applications (or both) have been filed by Southern Union Gas Company with this Commission, pursuant to the Public Utility Holding Company Act of 1935, in the form of an amendment designated as Amendment No. 17 to its application, heretofore filed pursuant to section 11 (e) of the said act, for approval of a plan to effectuate the provisions of section 11 (b). This Commission by order entered on September 19, 1942, and certain subsequent supplemental orders, has approved said plan as heretofore modified.

All interested persons are referred to said Amendment No. 17, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

As a step in further compliance with the order of the Commission entered September 19, 1942, Southern Union Gas Company proposes to divest itself of all interest in, and all ownership and control of, its gas and water properties, with appurtenant assets, located in Oklahoma.

Southern Union Gas Company proposes to sell to E. R. Bahan, an individual, of Fort Worth, Texas, and several members of his family (all of whom are residents either of Fort Worth, Texas, or of Guthrie, Oklahoma), pursuant to an agreement dated May 15, 1945, its physical properties, with appurtenant assets, used in the operation of a natural gas distribution system serving three communities and their environs in Kingfisher County, Oklahoma, for a cash consideration of $237,000 (of which $5,000 is for warehouse stocks).

Southern Union Gas Company further proposes to sell to Frank O'Neill, an individual residing in Cook County, Illinois, pursuant to an agreement dated May 15, 1945, its physical properties, with appurtenant assets, used in the operation of a water distribution system serving the community of Kingfisher, Oklahoma, for a cash consideration of $70,000.

Each of the above-mentioned agreements provide that should either of the purchasers fail to consummate acquisition of the properties as therein provided, Southern Union Gas Company may effect the sale of such properties to the other purchaser.

Southern Union Gas Company states that it proposes to deposit the entire proceeds of the aforementioned sales with Harris Trust and Savings Bank, Trustee under the Indenture securing Southern Union Gas Company's First Mortgage Sinking Fund Bonds, 3¾% Series due 1962, to be applied toward the retirement of such bonds and to the payment of interest and retirement premiums applicable to bonds so redeemed.

Southern Union Gas Company requests that the Commission issue an appropriate order containing the findings and recitals in connection with the proposed transactions necessary to conform to the requirements of sections 371 and 1808 (f) of the Internal Revenue Code, as amended.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held in respect of such matters and that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of the act and the rules of the Commission thereunder be held on June 15, 1945 at 11:00 a. m., e. w. t., at the office of the Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise. It is requested that any person proposing to be heard or otherwise to participate in these proceedings shall file with the Secretary of the Commission on or before June 13, 1945, a written request relative thereto as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That Charles S. Lobingier or any officer or officers of this Commission designated by it for that purpose, shall preside at the hearings on such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed transactions are in furtherance of, and not inconsistent with, the order of this Commission dated September 19, 1942, and are necessary to enable Southern Union Gas Company to comply with the provisions of section 11 (b) of the act.

2. Whether the considerations to be received are fair and reasonable.

3. The identity of the purchasers, and their interest, if any, in any other public utility or holding company.

4. Whether competitive conditions have been maintained.

5. Generally, whether the proposed transactions are in all respects in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

It is further ordered, That notice of said hearing is hereby given to Southern Union Gas Company and to all other persons, said notice to be given to Southern Union Gas Company, E. R. Bahan, Frank O'Neill, and the Corporation Commission of the State of Oklahoma by registered mail, and to all other persons by general release of this Commission, distributed to the press and mailed to the mailing list for releases issued under the act, and by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9492; Filed, June 1, 1945; 11:14 a. m.]

[File No. 59-76]

EASTERN GAS AND FUEL ASSOCIATES

NOTICE OF AND ORDER INSTITUTING PROCEEDINGS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 28th day of May, A. D. 1945.

I. The Commission having examined the corporate structure of Eastern Gas and Fuel Associates ("Eastern"), a registered holding company, and having examined the files and records of the Commission relating thereto, and such examination having disclosed data establishing, or tending to establish, the following:

(1) Eastern, a voluntary association formed in 1929 under the law of the Commonwealth of Massachusetts, filed its notification of registration under section 5 (a) of the Public Utility Holding Company Act of 1935 on October 4, 1944, and filed an amendment thereto on February 28, 1945. Eastern's notification of registration as amended, states among other things, that the filing thereof shall not be deemed either (a) to terminate the temporary exemption available to Eastern under section 3 (c) of the act upon the filing of its application for exemption now pending before the Commission, as such exemption applies to sections of the act other than sections 4, 5 (other than 5 (b)) and 11 (b) (2) and to the extent necessary to implement compliance with section 11 (b) (2), and only to that extent, sections 6, 7, 11 (c), (d), (e), (f) and (g); or (b) to cause any subsidiary company, affiliate, director, officer, or trustee of Eastern or of any subsidiary company thereof to be subject to any of the provisions of the act.

(2) Directly and through its subsidiaries, Eastern is engaged in the production, transportation and sale of bituminous coal, the conversion of such coal into coke, gas and other products, the distribution and sale of such products, and the carrying on of certain allied operations.

(3) As of December 31, 1944 Eastern owned all the outstanding securities of the subsidiaries listed in the following schedule which shows the state of organization and principal functions of Eastern and of each of its wholly-owned subsidiaries:

State of Organization and Principal Functions

Eastern Gas & Fuel Associates, Massachusetts, Holding and non-utility operating company — operation of bituminous coal mines in West Virginia, eastern Kentucky and western Pennsylvania, ownership and operation of fleet of steamships engaged

principally in the transportation of coal from Norfolk, Virginia to other eastern ports, sale of coal through sales offices in 6 states, manufacture in Everett, Mass. of coke, gas and other related products and pig iron, sale and distribution of coke from New Haven and operation of mine stores in West Virginia and eastern Kentucky.

Boston Consolidated Gas Co., Massachusetts, Public utility—Distribution of manufactured gas in Boston and surrounding area and of electricity in Charlestown district of Boston.

Old Colony Gas Co., Massachusetts, Public utility—Distribution of manufactured gas in area adjacent to Boston.

Philadelphia Coke Co., Pennsylvania, Manufacture and sale of coke, gas and related products in Philadelphia.

The Connecticut Coke Co., Connecticut, Manufacture and sale of coke, gas and related products in New Haven.

New England Coal & Coke Co., Massachusetts, Coal sales at wholesale in New England.

New England Coke Co., Massachusetts, Coke sales in New England.

Castner, Curran & Bullitt, Inc., Virginia, Coal sales to foreign shipping companies.

Mystic Iron Works, Massachusetts, Pig iron sales principally in New England.

Koppers Stores, Inc.,[1] West Virginia, Operation of mine stores in western Pennsylvania.

Boston Tow Boat Co., Massachusetts, Operation of tow boats principally in Boston Harbor.

Doane-Commercial Towing Co., Massachusetts, Inactive.

Everett Coke Co., Massachusetts, Inactive.

Koppers Coke Co., Massachusetts, Inactive.

(4) In addition to the above wholly-owned subsidiaries, Eastern, as of December 31, 1944, owned 25% of the voting stock of Wyatt, Incorporated, a Connecticut corporation engaged in the distribution of fuel, and 66⅔% of the voting stock of The Virginian Corporation. The latter, in turn, owned 39.85% of the voting stock of The Virginian Railway Company, a Virginia corporation, which is a railroad common carrier and which owns all the voting stock of Loup Creek Colliery Company.

(5) Following is a condensed balance sheet of Eastern, per books, as of December 31, 1944 and a condensed balance sheet of Eastern and its wholly-owned subsidiaries per books as of the same date:[2]

	Eastern	Eastern and its wholly-owned subsidiaries consolidated
ASSETS		
Current assets:		
Cash	$5,922,926	$7,544,339
U. S. Government securities and treasury notes (less amount applied as reduction of accrued federal income taxes *contra*)	137,561	2,950,000
Accounts and notes receivable less reserves	7,935,411	13,332,646
Due from affiliated companies	3,931,998	1,221,145
Inventories less reserves	4,229,986	9,430,951
	22,157,882	34,479,081
Investments and other assets less reserves applicable to sundry note and accounts	96,318,029	3,633,907
Property, equipment and other capital assets tangible properties:		
Commercial and coal mining	84,936,010	107,069,779
Less—reserves for depreciation, amortization and depletion	43,077,765	52,556,444
	41,858,245	54,513,335
Utility	----------	53,296,101
Less—reserves for utility retirements	----------	7,428,207
	----------	45,867,894
Net tangible properties	41,858,245	100,381,229
Intangible assets	16,947,943	39,919,530
	58,806,188	140,300,759
Deferred charges:		
Unamortized debt discount and expense	1,637,078	2,147,696
Other deferred charges	329,376	486,464
	1,966,454	2,634,160
	179,248,553	181,047,907
LIABILITIES		
Current liabilities:		
Accrued Federal income taxes	2,256,922	4,409,339
Less—U. S. Treasury notes—tax series	2,256,922	2,394,483
	----------	2,014,856
Due to affiliated companies	5,701,773	268,849
Other current liabilities	5,120,521	7,901,048
	10,822,294	10,184,753
Funded debt:		
First mortgage and collateral trust bonds, Series "A", 4%, due 1956	62,308,000	62,308,000
Less—reacquired bonds held in treasury	6,811,000	7,034,000
	55,497,000	55,274,000
Reserves:		
Employees' benefits	----------	1,073,471
Current and prior years' tax tax contingencies	3,236,603	3,389,199
Insurance and other purposes	599,390	989,658
	3,835,993	5,452,328
LIABILITIES—continued		
Capital stock:		
Prior preference 4½% Cumulative, par $100, 246,373 shares	$24,637,300	$24,637,300
Preferred 6% Cumulative, par $100, 374,138 shares	37,413,800	37,413,800
Common, no par value, 1,988,400 shares	37,018,651	37,018,651
	99,069,751	99,069,751
Earned surplus	10,023,515	11,067,075
	179,248,553	181,047,907

(6) Commercial and coal mining properties shown in the foregoing balance sheets include an amount of $2,903,602 representing cost of securities of subsidiaries in excess of their book values at dates of acquisition, which is being written off through depletion charges to profit and loss over a period of thirty-one years from December 31, 1944.[3] Except for this item, Eastern states that tangible properties are recorded at the amounts shown in the accounts of subsidiaries (present and former) at dates of acquisition, plus subsequent additions at cost, less retirements.

(7) The following tabulation shows the items classified as intangible assets on the books of Eastern as of December 31, 1944 and on a consolidated basis for Eastern and its wholly-owned subsidiaries, per books, as of the same date:

	Eastern	Consolidated
Cost of securities of subsidiaries (present and former) in excess of their book values at dates of acquisition	$4,994,375	$27,965,992
General property[1]	11,286,435	11,286,435
Commission and expense on sale of capital stock	667,133	667,133
Total	16,947,943	39,919,530

[1] Represents a property account established in 1902 by a former subsidiary which account, Eastern states, apparently did not represent the cost of tangible property.

(8) The capitalization and surplus of Eastern, per books, as of December 31, 1944, and of Eastern and its consolidated subsidiaries as of the same date was as follows:

	Eastern		Eastern and subsidiaries consolidated	
	Amount	Percent	Amount	Percent
Long-term debt:				
First mtg. and collateral tr. bonds, Series A, 4% due 1956	$55,497,000	33.7	$55,274,000	33.4
Preferred stocks:				
Prior preference, 4½% Cum. $100 p. v., 246,373 shs	24,637,300	15.0	24,637,300	14.9
Preferred, 6% cum., $100 p. v., 374,138 shs[1]	37,413,800	22.7	37,413,800	22.6
	62,051,100	37.7	62,051,100	37.5
Common stock and surplus:				
Common stk. no p. v., 1,988,400 shs	37,018,651	22.5	37,018,651	22.4
Earned surplus	10,023,515	6.1	11,067,075	6.7
	47,042,166	28.6	48,085,726	29.1
Total capital and surplus	164,590,266	100.0	165,410,826	100.0

[1] Cumulative dividends were in arrears at Dec. 31, 1944 in an amount of $32.25 per share, aggregating $12,065,951.

(9) If adjustments were made to reflect liability for preferred dividend arrearages and to write off the amounts Eastern classifies as intangibles ($16,947,943 applicable to Eastern and $39,919,530 applicable to Eastern and its consolidated subsidiaries), together with $2,903,602 representing cost of securities of subsidiaries in excess of their book values at dates of acquisition included in tangible property (applicable to Eastern and Eastern and its consolidated sub-

[1] Liquidated February 28, 1945.

[2] Eastern follows the accounting practice of consolidating only wholly-owned subsidiaries. Therefore, the consolidated balance sheet of Eastern and its subsidiaries does not include Wyatt, Incorporated, or The Virginian Corporation.

[3] Our records indicate that this amount arose in connection with the acquisition of certain former coal mining subsidiaries and is represented to be in effect a part of the cost of the coal reserves acquired.

sidiaries), the capitalization and surplus of Eastern and of Eastern and its consolidated subsidiaries as of December 31, 1944 would be as follows:

	Eastern		Eastern and Subsidiaries Consolidated	
	Amount	Percent	Amount	Percent
Long-term debt:				
First mortgage and collateral trust bonds	$55,497,000	38.3	$55,274,000	45.1
Preferred stocks:				
Prior preference, 4½%	24,637,300	17.0	24,637,300	20.1
Preferred 6%	37,413,800	25.8	37,413,800	30.5
Dividend arrearages on preferred 6% stock	12,065,951	8.4	12,065,951	9.8
	74,117,051	51.2	74,117,051	60.4
Common stock and surplus:				
Common stock	37,018,651	25.6	37,018,651	30.2
Earned surplus (deficit)	(21,893,981)	(15.1)	(43,822,008)	(35.7)
	15,124,670	10.5	(6,803,357)	(5.5)
Total capitalization and surplus	144,738,721	100.0	122,587,694	100.0

(10) Each share of common stock of Eastern is entitled to one vote per share. The 4½% Prior Preference and 6% Preferred Stocks have no voting rights except certain rights with respect to the issuance of additional stock and except that if there shall have been four quarterly dividends accrued on either the prior preference or the preferred, holders of these two classes of stock, as a joint class, shall have equal voting strength with the common stock in respect of the right to vote generally. Since more than four quarterly dividends are currently in arrears on the preferred, the prior preference and preferred stocks as a joint class now have 50% of the total voting power and the common stock has 50%.

(11) On an individual basis, for the years 1936–1944, inclusive, Eastern's net income available for fixed charges, together with the fixed charges and preferred dividend requirements have been as follows:

[000 omitted]

Year	Net income before fixed chgs.	Fixed chgs.[1]	Net income	Div. requirements		Pfd. div.[2] taxes	Net income for common	Times fixed chgs. and all pfd. div. req. earned
				Prior pref.	Pfd.			
1936	$5,492	$2,727	$2,765	$1,108	$2,177	$107	($627)	$0.90
1937	6,271	3,592	2,679	1,109	2,245	48	(723)	.90
1938	4,978	3,553	1,425	1,109	2,245	33	(1,962)	.72
1939	4,724	3,454	1,270	1,109	2,245	29	(2,113)	.69
1940	6,638	3,333	3,305	1,109	2,245	55	(104)	.98
1941	3,829	3,205	624	1,109	2,245	53	(2,783)	.58
1942	5,730	3,144	2,586	1,109	2,245	59	(827)	.87
1943	5,941	2,970	2,971	1,109	2,245	(34)	(349)	.94
1944	4,895	2,543	2,352	1,109	2,245	30	(1,032)	.83
Avg. 9 yrs	5,388	3,169	2,219	1,109	2,237	42	(1,168)	.82

[1] Consists of interest on long-term debt; amortization of debt discount and expense; taxes on interest, bonds, and capital stock paid for security holders; other interest charges and minor miscellaneous items.
[2] Provisions for state taxes on all preferred dividends paid for stockholders pursuant to Eastern's charter provisions.

(12) On a consolidated basis, for the same period, the net income available for the various classes of securities has been as follows:

[000 omitted]

Year	Net income before fixed charges	Fixed charges[1]	Net income	Net income for common[2]	Times fixed charges and all pfd. div. req. earned
1936	$6,752	$3,875	$2,877	$(515)	0.93
1937	6,708	3,690	3,018	(884)	.95
1938	4,038	3,636	402	(2,985)	.57
1939	4,797	3,532	1,265	(2,118)	.69
1940	6,379	3,380	2,999	(410)	.94
1941	6,721	3,239	3,482	75	1.01
1942	6,301	3,132	3,169	(244)	.96
1943	6,106	2,986	3,120	(200)	.97
1944	5,614	2,541	3,073	(311)	.95
Av. 9 yrs	5,935	3,335	2,600	(788)	.88

[1] Includes interest on long-term debt; amortization of debt discount and expense, taxes on interest, bonds and capital stock paid for security holders; other interest charges; income applicable to minority stockholders in the years 1936-1939, inclusive, and minor miscellaneous items.
[2] After all preferred dividend requirements and provisions for state taxes on presferred dividends paid for stockholders pursuant to Eastern's charter provisions.

(13) The record of dividends per share paid by Eastern on its various classes of capital stock, from the first full year after its organization to date, has been as follows:

Year	4½% prior preference	6% preferred	Common
1930	$4.50	$6.00	----------
1931	4.50	6.00	----------
1932	4.50	6.00	----------
1933	4.50	6.00	$0.15
1934	4.50	6.00	.30
1935	4.50	6.00	----------
1936	4.50	6.00	----------
1937	4.50	3.00	----------
1938	2.25	.75	----------
1939	4.50	----------	----------
1940	6.75	----------	----------
1941	4.50	3.00	----------
1942	4.50	3.00	----------
1943	4.50	3.00	----------
1944	4.50	3.00	----------
Total paid	67.50	57.75	.45
Dividends in arrears as at Dec. 31, 1944	None	32.25	----------
Dividend requirements 1936-1944	67.50	90.00	----------

II. It appearing to the Commission in the light of the foregoing that it is appropriate in the public interest and in the interest of investors and consumers to institute proceedings with respect to Eastern, under section 11 (b) (2) of the Public Utility Holding Company Act of 1935, to determine whether certain orders should be entered pursuant to the provisions of said section of the Act:

III. *It is hereby ordered,* That proceedings pursuant to section 11 (b) (2) of the act be and hereby are instituted and that Eastern be and hereby is made Respondent in these proceedings; and

It is further ordered, That said Respondent shall file with the Secretary of the Commission on or before the twelfth day of June 1945, its answer, in the form prescribed by Rule U-25 of the General Rules and Regulations under the Act, admitting, denying or otherwise explaining its position with respect to the allegations set forth in Part I hereof. Such answer may also include a statement by Respondent of its views as to what action, if any, should be taken to bring the corporate structure and the distribution of voting power among security holders of the system into conformity with the provisions of section 11 (b) (2) of the act; and as to what other action may be necessary or appropriate under the provisions of section 11 (b) (2) with respect to said Respondent. In lieu of the statement of views as aforesaid, Respondent may, if it so desires, file a plan for the purpose of enabling it to comply with the provisions of section 11 (b) (2).

It is further ordered, That a hearing be held on the 26th day of June, 1945, at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318. All persons desiring to be heard or wishing to participate otherwise in the proceedings should notify the Commission in the manner provided by Rule XVII of its rules of practice on or before June 25, 1945.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by the proceedings, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the allegations contained in Part I hereof are true and correct;

2. Whether the corporate structure of Eastern unduly or unnecessarily complicates the structure or unfairly or inequitably distributes voting power among security holders of Eastern's holding company system and, if so, whether and in what manner the corporate structure of Eastern should be revised;

3. What action, if any, should be required to be taken by Eastern to meet

the requirements of section 11 (b) (2) of the act.

At the outset of said hearing, consideration will be given to such issues, if any as may arise from the allegations in Part I hereof, and Respondent's answer hereinbefore provided for, or in any other papers filed herein by interested persons. To the extent that any allegations set forth above are not controverted in the Respondent's answer and are not controverted by any other interested person, such facts shall be deemed to be admitted for the purposes of this proceding.

It is further ordered, That jurisdiction be and hereby is reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions which may arise in these proceedings, and to take such other actions as may appear necessary to the orderly and economical disposition of the issues involved.

It is further ordered, That notice of this hearing be given to the Respondent and to all other persons; said notice to be given to Eastern and to the Massachusetts Department of Public Utilities and the City of Boston by registered mail, and to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the act and by publication in the FEDERAL REGISTER.

It is further ordered, That neither this order nor any future order in these section 11 proceedings nor the filing by Eastern of its Notification of Registration as amended or of the answer herein required shall be deemed to either (a) terminate as applied to sections of the act other than sections 4, 5 (other than 5 (b)) and 11 (b) (2) and to the extent necessary to implement compliance with section 11 (b) (2), sections 6, 7, 11 (c), (d), (e), (f) and (g), the temporary exemption available to Eastern upon the filing of its application for exemption, now pending before the Commission, as provided in section 3 (c) of the act; or (b) to cause any subsidiary company, affiliate, director, officer, or trustee of Eastern or of any subsidiary company thereof to be subject to any of the provisions of the act.

It is further ordered, That jurisdiction be and hereby is reserved with respect to the application by Eastern for exemption under sections 3 (a) (1) and 3 (a) (3) of the act from the provisions of the act other than sections 4, 5 (other than 5 (b)) and 11 (b) (2).

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9433; Filed, May 31, 1945; 11:17 a. m.]

[File Nos. 7-785, 7-786]

PAN AMERICAN AIRWAYS CORP., AND WESTERN PACIFIC RAILROAD CO.

FINDINGS AND ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of May, A. D. 1945.

In the matter of applications by the Boston Stock Exchange to extend unlisted trading privileges to Pan American Airways Corporation, capital stock, $2.50 par value, File No. 7-785; Western Pacific Railroad Company, common stock, no par value, File No. 7-786.

The Boston Stock Exchange having made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to Pan American Airways Corporation Capital Stock, $2.50 Par Value, and Western Pacific Railroad Company Common Stock, No Par Value;

A public hearing having been held after appropriate notice;

The Commission, being duly advised, finds:

(1) That Pan American Airways Corporation capital stock is listed and registered on the New York Stock Exchange and that Western Pacific Railroad Company common stock is listed and registered on the New York and San Francisco Stock Exchanges;

(2) That sufficient public distribution of and sufficient public trading activity in these securities exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges is otherwise appropriate in the public interest and for the protection of investors.

Accordingly, *It is ordered,* Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the applications of the Boston Stock Exchange for permission to extend unlisted trading privileges to: Pan American Airways Corporation, capital stock, $2.50 par value; Western Pacific Railroad Company, common stock, no par value, be and the same are hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9491; Filed, June 1, 1945; 11:13 a. m.]

[File No. 70-1044]

ELECTRIC POWER & LIGHT CORP. AND DALLAS POWER & LIGHT CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of May, A. D. 1945.

Electric Power & Light Corporation ("Electric"), a registered holding company, and its electric utility subsidiary, Dallas Power & Light Company ("Dallas"), having filed a joint application-declaration with amendments thereto under sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 with respect to the issuance by Dallas of a series of 4½% preferred stock to be exchanged share for share for its outstanding 7% and $6 preferred stock, the call of all unexchanged 7% and $6 preferred stock, and the issuance and offer of sale of common stock to present common stockholders on a pro-rata basis; and

The Commission having, by order dated March 28, 1945, granted said application and permitted said declaration to become effective, reserving, however, jurisdiction over all legal fees to be paid by Dallas in connection with the proposed transactions; and

The record having been completed in respect of such legal fees to be paid by Dallas which consists of a fee of $8,500 of Reid and Priest, counsel for Dallas and a fee of $7,000 of Beekman & Bogue, counsel for the Dealer-Managers who effectuated the exchanges; and

The Commission having considered the record herein and finding that said fees are not unreasonable;

It is ordered, That the jurisdiction heretofore reserved over the legal fees incurred in connection with the proposed transactions be, and the same hereby is released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9494; Filed, June 1, 1945; 11:14 a. m.]

[File No. 70-1055]

CENTRAL NEW YORK POWER CORP.

NOTICE REGARDING FILING OF POST-EFFECTIVE AMENDMENT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of May 1945.

Notice is hereby given that a post-effective amendment to a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Central New York Power Corporation, a public-utility subsidiary of Niagara Hudson Power Corporation and of The United Corporation, a registered holding company.

Notice is further given that any interested person may, not later than June 4, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such post-effective amendment, as filed, or as amended, may become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said post-effective amendment, which is on file in the office of the Commission, for a statement of the transaction therein proposed, which may be summarized as follows:

By order dated April 23, 1945 (Holding Company Act Release No. 5753) per-

mitting a declaration to become effective, the Commission authorized Central New York Power Corporation to purchase on the open market an aggregate of $3,792,000 principal amount of the non-callable bonds of the corporation, said purchases to consist of a maximum of $1,292,000 principal amount of Northern New York Utilities, Inc., First Mortgage Bonds, due 1947, and a maximum of $2,500,000 principal amount of Syracuse Lighting Company First Mortgage Bonds, due 1951, at proposed maximum purchase prices of 111½% and 121% of the respective principal amounts thereof.

Central New York Power Corporation now proposes to reduce the amount of Northern New York Utilities, Inc., and Syracuse Lighting Company bonds to be purchased and to include in said aggregate of $3,792,000 principal amount of non-callable bonds to be purchased, $1,000,000 principal amount of Utica Gas and Electric Company Refunding and Extension Mortgage, 5% Fifty-year Bonds, due July 1, 1957, at a price not to exceed 135% of the principal amount thereof. Said purchases are to be made in the open market from time to time during a period not to exceed one year from the date of this Commission's order permitting the post-effective amendment to become effective, and are to be in addition to bonds acquired pursuant to Rule U-42 (b) (4) in accordance with the requirements of the indentures securing bonds of the corporation.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9495; Filed, June 1, 1945; 11:13 a. m.]

[File No. 70-1074]

KINGS COUNTY LIGHTING CO.

INTERIM ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of May 1945.

Kings County Lighting Company, a subsidiary of Long Island Lighting Company, a registered holding company, having filed an application-declaration, and amendments thereto, pursuant to sections 6 (a), 6 (b) and 7 of the Public Utility Holding Company Act of 1935, regarding (1) the issue and sale, pursuant to the competitive bidding requirements of Rule U-50, of $4,200,000 principal amount of its __% First Mortgage Bonds due 1975, the interest rate and redemption prices to be fixed by competitive bidding; and (2) the issue and sale, at a cash price of $4,200,000, of its promissory note (as interim financing, to be discharged with the proceeds of the issue and sale of its __% First Mortgage Bonds, due 1975, as described above), payable to the John Hancock Mutual Life Insurance Company in the principal amount of $4,200,000, said note to be dated June 26, 1945, to mature not later than November 30, 1945, to bear interest at a rate of 1½% per annum, and the proceeds thereof, together with treasury cash, to be used to redeem, on July 1, 1945, at the redemption price of 105% of principal amount, its outstanding $4,211,000 principal amount of First Refunding Mortgage Gold Bonds, due July 1, 1954, of which $2,389,000 bears interest at 5% and $1,822,000 at 6½%; and

Applicant-declarant having requested that the Commission enter an interim order at this time relating solely to the proposed issue and sale of said promissory note; and

A public hearing having been held after appropriate notice, at which the security holders of applicant-declarant and other interested persons were afforded opportunity to be heard; and requests for findings, briefs and oral argument having been waived as to the issue and sale of said promissory note; and

The Commission having considered the record and having entered its findings and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declaration, as amended, solely in regard to the issue and sale of said promissory note to become effective:

It is hereby ordered, Pursuant to the applicable provisions of said act, including section 7 thereof, and subject to the provisions of Rule U-24 promulgated under the act, that the aforesaid declaration solely in regard to the issue and sale of said promissory note be, and hereby is, permitted to become effective forthwith; and

It is further ordered, That jurisdiction be, and hereby is, reserved over (1) the payment of all fees and expenses incurred in connection with the issue and sale of said promissory note, and (2) all aspects of the issue and sale of said ------% First Mortgage Bonds of Kings County Lighting Company due 1975.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9496; Filed, June 1, 1945; 11:14 a. m.]

[File No. 70-1082]

EASTERN UTILITIES ASSOCIATES

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of May, A. D. 1945.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Eastern Utilities Associates, a registered holding company. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Eastern Utilities Associates has employed Georgeson & Co., 52 Wall Street, New York, New York, with branch offices at 24 Federal Street, Boston, Massachusetts, and elsewhere, to aid the management of the company in the solicitation of proxies for the adjourned annual meeting of the company, originally set for April 30, 1945 at 10 a. m., thereafter adjourned to May 4, 1945 at 10 a. m., and now adjourned to June 5, 1945 at 10 a. m. It is proposed that for such solicitation, including out-of-pocket expenses and disbursements and compensation to and expenses of assistance incurred in such solicitation, the company will pay to Georgeson & Co. the aggregate amount of $1,000 plus an additional amount not to exceed $4,000 provided that such additional payment is permitted by the Commission pursuant to the filing of this declaration.

The declaration states that no quorum for the annual meeting has as yet been obtained and that such failure to obtain a quorum appears to be due partly "to the usual failure of shareholders to send in their proxies" and partly to the activities of a committee styling itself "Committee to Inform 'Convertible' Shareholders of the Eastern Utilities Associates," consisting of Roger W. Babson, Babson Park, Mass., William L. Less, 2nd, 14 Wall Street, New York City, A. W. Newell, 150 Morris Ave., Providence, R. I., and Oscar H. Brinkman, Secretary, Wellesley Hills, Mass., which Committee has solicited stockholders of Eastern Utilities Associates to refrain from signing or sending in proxies for the annual meeting and to revoke any proxies already sent in.

Declarant designates Rule U-65 as applicable to the payment of such additional sum of not to exceed $4,000;

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters and that said declaration shall not become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission therein be held on June 13, 1945, at 10 o'clock a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 shall advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declaration shall become effective.

It is further ordered, That Allen McCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of issues presented by said declaration otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the payment of the initial sum of $1,000 by the company to Georgeson & Co. is exempt from the provisions of Rule U-56 by virtue of the provisions of subparagraph (b) thereof;

2. Whether the sums proposed to be paid to Georgeson & Co. are appropriate corporate expenditures and constitute reasonable compensation for the services rendered or to be rendered;

3. Whether the proposed transactions are in all respects in accordance with the provisions and standards of the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Commission on or before June 11, 1945, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on Eastern Utilities Associates; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9497; Filed, June 1, 1945; 11:13 a. m.]

[File No. 70-1085]

OGDEN CORP.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of May, A. D. 1945.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, and the rules and regulations promulgated thereunder, by Ogden Corporation, a registered holding company. All interested persons are referred to said declaration, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

Ogden Corporation seeks a limited exemption from the terms and provisions of Rule U-45 promulgated under the Public Utility Holding Company Act of 1935. Rule U-45 reads, in pertinent part, as follows:

(a) *General provision.* No registered holding company or subsidiary company shall, directly or indirectly, lend or in any manner extend its credit to nor indemnify, nor make any donation or capital contribution to, any company in the same holding company system, except pursuant to a declaration notifying the Commission of the proposed transaction, which has become effective in accordance with the procedure specified in Rule U-23, and pursuant to the order of the Commission with respect to such declaration under the applicable provisions of the Act.

(b) *Exceptions.* The following transactions shall be exempt from the declaration requirements of this rule:

* * * * *

(6) A loan or extension of credit or an agreement of indemnity arising out of a joint tax return filed by a holding company (or other parent company) and its subsidiaries: *Provided,* That the top company in the group assumes primary responsibility for the payment of any tax liability involved, subject to the right to contribution from the several members of the group in an amount not exceeding as to any company that percentage of the total tax which the individual tax of such company (if paid under a separate return) would bear to the total amount of individual taxes for all members of the group, for the particular tax period.

Ogden proposes that for the year 1944 and subsequent years the consolidated income tax liability of Ogden and its subsidiaries be allocated among the companies included in the consolidated tax returns on the basis provided for in Rule U-45 (b) (6) except that in computing the amount of the liabilities of the several members of the group on a separate return basis there shall be excluded any capital gains either offset against capital losses or not recognized in the consolidated returns and thereby not subjected to tax.

The declarant represents that its subsidiary Interstate Power Company, in 1944 realized a capital gain which, on an individual tax return basis, would have been subjected to a capital gains tax but which, in fact, was offset by capital losses on a consolidated tax return basis, and that no capital gains tax liability was incurred by the consolidated group. It is stated that the provisions of Rule U-45 would nevertheless require that Interstate Power Company's capital gain, and the resultant capital gains tax liability on an individual tax return basis, be included in the calculation of Interstate Power Company's tax liability in allocation of the consolidated tax liability among the several members of the group. It is further represented by the declarant that the capital loss carry-over of Ogden and its subsidiaries, as of December 31, 1944, is so large as to render remote the possibility that capital gains, if any, within the next five years, of companies in the group will exceed the capital loss carry-over of the group.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters;

It is ordered, That a hearing on said matter under the applicable provisions of said act and rules of the Commission thereunder be held on June 18, 1945 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date, the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That Robert P. Reeder, or any officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed limited exemption from the provisions of Rule U-45 is appropriate in the public interest and in the interests of investors and consumers and consistent with all the applicable requirements of the act and the rules thereunder;

2. What terms and conditions, if any, should be imposed in the public interest or for the protection of investors and consumers.

It is further ordered, That notice of said hearing is hereby given to Ogden Corporation and its subsidiary companies and to all interested persons, said notice to be given to Ogden Corporation by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is requested that any person desiring to be heard in the proceeding shall file with the Secretary of the Commission, on or before June 15, 1945, an appropriate request or application to be heard, as provided by Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-9493; Filed, June 1, 1945; 11:14 a. m.]

[File No. 70-1091]

ROCHESTER GAS AND ELECTRIC CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of May 1945.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Rochester Gas and Electric Corporation ("Rochester"), a subsidiary of NY PA NJ Utilities Company, a registered holding company which in turn is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, also a registered holding company.

All interested persons are referred to said document which is on file in the office of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Rochester proposes to alter the priorities, preferences, voting power and other rights of its outstanding preferred and common stocks by reclassifying said stocks, and further proposes, in connection therewith, to retire 40,000 shares of its outstanding preferred stock, all in the following manner:

(1) Rochester proposes to reclassify its outstanding preferred stock, consisting of 120,000 shares of 6% Series D stock and 40,000 shares of 5% Series E stock, into 4% Preferred Stock, Series F, which will be redeemable at $105 per share plus

accrued and unpaid dividends. The holders of shares of 4% Preferred Stock, Series F, which remain outstanding upon completion of the reclassification and retirement program described below, will receive dividends at existing rates through August 31, 1945, and dividends at the rate of 4% per annum, which will be cumulative, from September 1, 1945.

(2) Rochester further proposes to submit such reclassification program to the holders of its outstanding preferred and common stocks at a stockholders' meeting to be called for that purpose and, in connection therewith, proposes to solicit proxies authorizing votes in favor of the reclassification and to retain Georgeson & Co. to assist it in such solicitation. The proposed program will not become effective unless the holders of at least two-thirds of the outstanding preferred and common stocks, by classes, vote favorably thereon.

(3) Rochester states that any preferred stockholder who objects to the reclassification and demands payment for his stock prior to the stockholders' meeting will be entitled to an appraisal pursuant to the applicable provisions of the laws of New York. Rochester proposes to offer such objectors $105 per share, the redemption price of their stock, plus accrued dividends to the date of the stockholders' meeting: *Provided, however,* That if the holders of more than 40,000 shares of preferred stock object and request appraisals the entire program will be abandoned.

(4) Upon the reclassification program becoming effective, Rochester proposes to accept tenders of the reclassified preferred stock for a period of ten days following the effective date of the reclassification, at a price of $105 per share, plus accrued dividends through August 31, 1945, for an amount up to 40,000 shares of preferred stock less the number of shares for which appraisals may have been requested. If shares tendered are in excess of such amount, they will be accepted on the basis of selection by lot, in a manner to be determined by the Board of Directors.

(5) In the event that requests for appraisals and tenders do not aggregate 40,000 shares of preferred stock, Rochester proposes to call by lot an amount of reclassified preferred stock so that upon consummation of the entire program the preferred stock outstanding will amount to 120,000 shares of the aggregate par value of $12,000,000.

(6) It is further proposed that the voting rights attaching to the outstanding common stock of Rochester shall be changed from one vote for each ten shares held to one vote for each share held. The entire 775,914 shares of outstanding common stock are held by NY PA NJ Utilities Company, which, Rochester states, has indicated its intention to vote in favor of the reclassification program.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters:

It is ordered, That a hearing on such matters under the applicable provisions of the act and rules of the Commission thereunder be held on June 13, 1945, at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to the Public Service Commission of the State of New York and to Rochester Gas and Electric Corporation; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard or otherwise wishing to participate in said proceeding shall file with the Secretary of the Commission, on or before June 11, 1945, his request or application therefor, as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application or declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed alteration of the priorities, preferences, voting power and other rights of the preferred and common stockholders of Rochester complies with the applicable provisions and requirements of section 7 of the act;

(2) Whether the proposed reclassification of Rochester's preferred stock constitutes the issue or sale of securities and, if so, whether such issue or sale complies with the applicable provisions of sections 6 and 7 of the act;

(3) Whether the proposed solicitation of authorizations in connection with the proposed reclassification program complies with the applicable provisions of section 12 (e) of the act and Rules U-62 and U-65 thereunder;

(4) Whether the sums proposed to be paid to Georgeson & Co. are appropriate corporate expenditures and constitute reasonable compensation for the services to be rendered;

(5) Whether the fees, commissions, or other remunerations to be paid are reasonable;

(6) The propriety of the proposed accounting treatment to reflect the proposed transactions on the books of Rochester;

(7) Generally, whether the proposed transactions comply with the applicable provisions of the act, and the rules, regulations and orders promulgated thereunder; and

(8) Whether, in the event the application or declaration shall be granted or permitted to become effective, it is necessary or appropriate to impose terms or conditions to ensure compliance with the standards of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-9498; Filed, June 1, 1945; 11:13 a. m.]